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INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION

MELBOURNE

FRIDAY, 12 NOVEMBER 2021

Witness Appearing: Mr Adem Somyurek

BEFORE THE HONOURABLE ROBERT REDLICH AM, QC

Counsel Assisting: Mr Christopher Carr SC

OPERATION WATTS INVESTIGATION

PUBLIC EXAMINATIONS PURSUANT TO PART 6 OF THE INDEPENDENT
BROAD-BASED ANTI-CORRUPTION COMMISSION ACT 2011

*Every effort is made to ensure the accuracy of transcripts.
Any inaccuracies will be corrected as soon as possible.*

1 UPON RESUMING AT 2.20 PM: 02:19:28PM
2 <ADEM KUBILAY SOMYUREK, recalled: 02:19:28PM
3 <EXAMINED BY MR CARR, continued: 02:19:28PM
4 COMMISSIONER: Are we ready to proceed? Yes, thank you. Yes, 02:19:28PM
5 Mr Carr. 02:20:08PM
6 MR CARR: Thank you, Commissioner. (To witness) Now I just 02:20:13PM
7 want to cover off on this branch-stacking war in the 02:20:18PM
8 south-east. You've referred a couple of times to you 02:20:24PM
9 being warned by Adam Sullivan. Could we see exhibit 10, 02:20:32PM
10 please, Commissioner. (To witness) These are text 02:20:39PM
11 messages between you and Adam Sullivan which you describe 02:20:46PM
12 as him warning you of Socialist Left stacking activity 02:20:51PM
13 leading up to December? 02:20:55PM
14 MR SOMYUREK: Yep. 02:20:58PM
15 MR CARR: You can see there, 'Just had a talk with Manoj, 02:21:01PM
16 Cranbourne HP branch had their first meeting for the year 02:21:06PM
17 last night, tried to put through 13 new members. They've 02:21:09PM
18 put together what they call an interim executive, excludes 02:21:13PM
19 Manoj's people. I'm sourcing more info. MAC next week.' 02:21:18PM
20 You say, 'Okay.' He tells you 'SL', for Socialist Left, 02:21:24PM
21 presumably. These are the text messages that you were 02:21:28PM
22 referring to? 02:21:32PM
23 MR SOMYUREK: That's right, yes. 02:21:33PM
24 MR CARR: Yes. All right. Can we scroll down so you can 02:21:35PM
25 identify all of them and we'll - - - 02:21:38PM
26 MR SOMYUREK: Yep. Yeah, Anthony wants him to go to scrutineer 02:21:52PM
27 Left branches there, yep. 02:21:56PM
28 MR CARR: Sorry, if we can just stick with those couple. 02:21:58PM
29 They're the messages that you're referring to on that 02:22:06PM

1 page? 02:22:08PM

2 MR SOMYUREK: Yeah, and Anthony's asked him to go and 02:22:08PM

3 scrutineer Left branches there, yeah. 02:22:12PM

4 MR CARR: Okay. So they're the messages that you point to as 02:22:14PM

5 demonstrating you having been forewarned by Mr Sullivan? 02:22:18PM

6 MR SOMYUREK: Yes, and it's just (indistinct), yeah. 02:22:25PM

7 MR CARR: Yes. I tender those, Commissioner. 02:22:26PM

8 COMMISSIONER: So these are from Mr Sullivan? Who are these 02:22:28PM

9 texts between? 02:22:32PM

10 MR CARR: Between Mr Sullivan and Mr Somyurek. 02:22:33PM

11 MR SOMYUREK: There's more. There's more, though, Mr Carr, all 02:22:34PM

12 the way through. I think Mr - there's more messages all 02:22:37PM

13 the way through. If you go towards the end, you - 02:22:44PM

14 Mr Gullaci, do you want to - - - 02:22:47PM

15 MR CARR: I haven't got the rest in front of me, but your point 02:22:50PM

16 is, Mr Somyurek, that you were warned multiple times - - - 02:22:53PM

17 MR SOMYUREK: That's right. 02:23:01PM

18 MR CARR: About Socialist Left branch-stacking activity - - - 02:23:01PM

19 MR SOMYUREK: Yeah. 02:23:04PM

20 MR CARR: In the period from November to December 2019? 02:23:04PM

21 MR SOMYUREK: Consistently, we get to 26 gone in through this 02:23:06PM

22 month, 28's gone through, and then November I say, 'Hey' - 02:23:09PM

23 I say, 'We've got to' - yeah. Then I start looking for 02:23:13PM

24 what the branches are, yep. 02:23:16PM

25 MR GULLACI: Mr Commissioner, before Mr Carr leaves this topic 02:23:21PM

26 or leaves this exhibit, could I be given some latitude 02:23:24PM

27 very briefly to go through four or five of these messages? 02:23:27PM

28 COMMISSIONER: Yes, of course. 02:23:30PM

29 MR GULLACI: Thank you. 02:23:32PM

1	<EXAMINED BY MR GULLACI, continued:	02:23:34PM
2	MR GULLACI: Could we could go to the top of the page, please,	02:23:37PM
3	if we can. Now, Mr Somyurek, I just want to very briefly	02:23:39PM
4	recap some evidence you gave before lunch. In essence,	02:23:43PM
5	you were asked about your knowledge of the Socialist Left	02:23:45PM
6	stacking in late 2019; you recall being asked some	02:23:48PM
7	questions about that?	02:23:55PM
8	MR SOMYUREK: Yep.	02:23:56PM
9	MR GULLACI: And Mr Carr initially took you to I think some of	02:23:56PM
10	your evidence where you said that you finally became aware	02:23:59PM
11	that - and I'm paraphrasing here - some action had to be	02:24:02PM
12	taken on or about 24 December 2019; correct?	02:24:06PM
13	MR SOMYUREK: Yep. 22 November I decided to sort of really	02:24:09PM
14	concentrate and ask for what our branch details are.	02:24:13PM
15	24 December is when they raid our branch and means it's	02:24:16PM
16	all over - you know, all of the deals are off, yep.	02:24:22PM
17	MR GULLACI: And you were then asked some questions by Mr Carr	02:24:25PM
18	about that, about 22 November, and essentially what you	02:24:27PM
19	were doing in relation to some messages or a clip that he	02:24:30PM
20	played you from 23 November 2019; do you recall that?	02:24:33PM
21	MR SOMYUREK: Yes.	02:24:37PM
22	MR GULLACI: Is it the case or was it the case, Mr Somyurek,	02:24:38PM
23	that throughout 2019 you become increasingly aware of the	02:24:41PM
24	Socialist Left beginning to branch stack again in the	02:24:45PM
25	south-east?	02:24:49PM
26	MR SOMYUREK: That's right.	02:24:50PM
27	MR GULLACI: The first message that Mr Carr has taken you to in	02:24:50PM
28	this document is the two messages backwards and forwards	02:24:53PM
29	from Mr Sullivan to you and then you back to him on	02:24:57PM

1 12 February 2019 talking about 13 new members attempted to 02:25:03PM
2 being put through; correct? 02:25:08PM
3 MR SOMYUREK: Yep. 02:25:09PM
4 MR GULLACI: Did you understand that to be an attempt at branch 02:25:11PM
5 stacking by the Socialist Left? 02:25:13PM
6 MR SOMYUREK: Yeah. Obviously we - I mean, yeah, we weren't 02:25:15PM
7 putting members through, we weren't recruiting members. 02:25:17PM
8 So, yes. But one month, again, you would just be cautious 02:25:18PM
9 about, but then you want to see a trend, and the trend was 02:25:23PM
10 obviously there at the end, yeah. 02:25:27PM
11 MR GULLACI: If we could please, Commissioner, with the 02:25:29PM
12 operator's assistance, then come down to p2, the second 02:25:31PM
13 message on p2. Thank you. (To witness) There's then 02:25:34PM
14 another message there from 25 June 2019 from Mr Sullivan 02:25:40PM
15 to you? 02:25:46PM
16 MR SOMYUREK: Yep. 02:25:47PM
17 MR GULLACI: Without reading it specifically, it's a reference 02:25:47PM
18 to an attempt to put 16 new branch members through by the 02:25:49PM
19 Socialist Left in Bruce; correct? 02:25:53PM
20 MR SOMYUREK: That's right. 02:25:56PM
21 MR GULLACI: Okay. 02:25:57PM
22 MR SOMYUREK: And Mr Byrne also getting, you know, now 02:25:58PM
23 concerned, asking him to go there, to their branches. 02:26:01PM
24 MR GULLACI: If we could then, please, Commissioner, go down to 02:26:06PM
25 the first message on the top of p4. (To witness) Again, a 02:26:09PM
26 report from Mr Sullivan to you on 14 July 2019? 02:26:19PM
27 MR SOMYUREK: Yep. 02:26:25PM
28 MR GULLACI: About the Socialist Left have turned up to the 02:26:26PM
29 Parkmore and Keysborough branch joint meeting; correct? 02:26:29PM

1 MR SOMYUREK: Correct. 02:26:33PM
2 MR GULLACI: Was that traditionally a Right or Moderate Labor 02:26:34PM
3 group branch? 02:26:37PM
4 MR SOMYUREK: It's a Right branch, but we don't turn up to each 02:26:38PM
5 other's branches normally. When you start turning up to 02:26:41PM
6 each other's branches you know there's a problem 02:26:45PM
7 happening. 02:26:50PM
8 MR GULLACI: Just a couple more of these messages with specific 02:26:50PM
9 reference. If we could please go to the bottom of p5, the 02:26:53PM
10 second last message. Thank you. A message there from 02:26:57PM
11 Mr Sullivan again on 23 August 2019? 02:27:07PM
12 MR SOMYUREK: Yep. 02:27:11PM
13 MR GULLACI: Telling you Socialist Left branches are putting 02:27:12PM
14 through 28 members through Bruce for August; correct? 02:27:14PM
15 MR SOMYUREK: Yep. 02:27:18PM
16 MR GULLACI: And you respond, 'We need to do the same'? 02:27:19PM
17 MR SOMYUREK: Yeah, it's getting to the point where the balance 02:27:22PM
18 of power has now shifted in the area. Our state seats and 02:27:24PM
19 federal seats are now - we're behind the eight ball. If 02:27:28PM
20 we don't act soon we're going to get overrun, yep. 02:27:32PM
21 MR GULLACI: Then just two final messages. Could we go to the 02:27:36PM
22 first message on the top of p6, please. Thank you. 02:27:39PM
23 Again, it's Mr Sullivan, this time on 28 October 2019, 02:27:45PM
24 informing you, '19 members through Bruce this month'? 02:27:50PM
25 MR SOMYUREK: Yeah. 02:27:54PM
26 MR GULLACI: 'All Socialist Left branches, five through 02:27:55PM
27 Pakenham and Latrobe'; correct? 02:27:58PM
28 MR SOMYUREK: Yep. 02:28:01PM
29 MR GULLACI: Did you understand this to be branch-stacking 02:28:01PM

1 activities being engaged in by the Socialist Left at this 02:28:04PM
2 time? 02:28:06PM
3 MR SOMYUREK: Oh, look, this is - completely goes against the 02:28:07PM
4 spirit of our - and how we've been cooperating for the 02:28:09PM
5 last 20 years, essentially. They've clearly broken it 02:28:12PM
6 off, but I haven't been paying attention. 02:28:15PM
7 MR GULLACI: And then finally if we could go to p7 of the - - - 02:28:17PM
8 MR SOMYUREK: But, again, 11 underneath that again, and then 02:28:20PM
9 I respond, 'We need an urgent meeting,' yeah. 02:28:23PM
10 MR GULLACI: If we could please go to p7, the photo screen 02:28:27PM
11 capture, if we could. Thank you. Is this a message 02:28:30PM
12 between - this is a message that you've received from Lou; 02:28:37PM
13 is that right? 02:28:39PM
14 MR SOMYUREK: No, this is a message I've sent to Lou. 02:28:41PM
15 MR GULLACI: Okay. 02:28:44PM
16 MR SOMYUREK: So in October 40 people have been put through, 02:28:44PM
17 and now I'm saying, 'Well, I'm starting to now think 02:28:47PM
18 you're right, we need to start looking at this.' So I'm 02:28:50PM
19 asking for the details of our branches. I don't even know 02:28:53PM
20 what they are, even though I've - - - 02:28:55PM
21 MR GULLACI: That message is sent by you on 22 November 2019, 02:28:58PM
22 the day before the clip that Mr Carr played to you just 02:29:01PM
23 before lunch? 02:29:04PM
24 MR SOMYUREK: That's right. Yep. 02:29:06PM
25 MR GULLACI: Thank you, Commissioner. 02:29:07PM
26 COMMISSIONER: Thank you. Before you take those down, would 02:29:10PM
27 you mind going back to the clip of 14 July, please. Are 02:29:15PM
28 you able to go back to 14 July? No, just in this 02:29:35PM
29 document. Yes, can you just pause there. Do you see the 02:29:40PM

1 reference there to an electoral officer. Pauline's 02:30:03PM
2 electoral officer, who would that be? 02:30:08PM
3 MR SOMYUREK: I've got them all written down, Commissioner, in 02:30:13PM
4 another - Counsel Assisting, can you - yeah, I don't know 02:30:18PM
5 who it is, but they're all written down in another 02:30:22PM
6 document we've got. I'm not sure of the name. Kate Hardy 02:30:24PM
7 and Daniel Benjamin, one of those two. Either Kate Hardy 02:30:29PM
8 works for Peta Murphy or Pauline, or Daniel - - - 02:30:34PM
9 COMMISSIONER: I'm just interested in the electoral officer 02:30:36PM
10 that's identified. That's an electoral officer to a 02:30:38PM
11 member of parliament, Pauline, whoever that is? 02:30:42PM
12 MR SOMYUREK: Yes. The two of them, Kate Hardy and Daniel 02:30:45PM
13 Benjamin are the electoral officers to those two MPs. I'm 02:30:50PM
14 not sure which one belongs to who. 02:30:53PM
15 COMMISSIONER: Okay. Thank you. So I'll give each of those 02:30:57PM
16 texts a separate number. 12 February will be 122; 25 June 02:31:02PM
17 will be 123; 14 July will be 124, 23 August, 125; 02:31:10PM
18 28 October, 126; and 22 November, 127. 02:31:19PM
19 02:31:26PM
20 #EXHIBIT 122 - Text message dated 12/02/19. 02:31:07PM
21 02:31:26PM
22 #EXHIBIT 123 - Text message dated 25/06/19. 02:31:26PM
23 02:31:26PM
24 #EXHIBIT 124 - Text message dated 14/07/19. 02:31:27PM
25 02:31:27PM
26 #EXHIBIT 125 - Text message dated 23/08/19. 02:31:27PM
27 02:31:27PM
28 #EXHIBIT 126 - Text message dated 28/10/19. 02:31:28PM
29 02:31:28PM

1 #EXHIBIT 127 - Text message dated 22/11/19. 02:31:28PM
2 COMMISSIONER: Yes, Mr Carr. 02:31:30PM
3 <EXAMINED BY MR CARR, continued: 02:31:31PM
4 MR CARR: Thank you, Commissioner. Now, I want to play to you, 02:31:31PM
5 please, clip 26/1. This is in - this 1 May 2020 when 02:31:36PM
6 tensions have cooled between you and Lou. 02:31:56PM
7 (Audio recording played to the Commission.) 02:32:12PM
8 MR CARR: Now, Mr Somyurek, the impression one might get from 02:33:09PM
9 that call is that you weren't so interested in the peace, 02:33:13PM
10 you wanted to continue the war; is that a fair comment? 02:33:18PM
11 MR SOMYUREK: Look, I don't know because obviously we did a 02:33:26PM
12 deal in March, we got Lee Tarlamis up, and the tensions 02:33:30PM
13 had stopped. But we had one big problem. We had one big 02:33:35PM
14 problem, and that was we no longer had numbers - the 02:33:41PM
15 numbers in our seats of Holt, Narre South, Narre North and 02:33:44PM
16 potentially Keysborough. So we - they had changed the 02:33:47PM
17 balance of power in those areas. So there was at least 02:33:51PM
18 some negotiation to be done. 02:33:55PM
19 MR CARR: In effect you needed to keep stacking until you got 02:33:58PM
20 back on top in - - - 02:34:01PM
21 MR SOMYUREK: Well, probably, you know - I don't know why I'm 02:34:03PM
22 doing that, because we just gave away a big concession to 02:34:08PM
23 the Left, and that is we got Lee Tarlamis up, and I've got 02:34:15PM
24 proof of that. So I'm probably keeping them on their 02:34:19PM
25 toes. 02:34:22PM
26 MR CARR: I tender that, Commissioner. 02:34:23PM
27 COMMISSIONER: What was the date of that conversation, Mr Carr? 02:34:25PM
28 MR CARR: 1 May 2020. 02:34:27PM
29 COMMISSIONER: Thank you. That will be 128. 02:34:31PM

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#EXHIBIT 128 - Clip 26/1, audio recording and transcript dated
01/05/20.

MR CARR: Can I take you to a statement that's been made by
Mr Bracks and Ms Macklin. If we can start with
annexure A, which is a letter from Mr Andrews to the
National Executive on 16 June.

COMMISSIONER: Perhaps you might elucidate, Mr Carr, this is a
statement that - - -

MR CARR: This is a statement that has been received from
Mr Bracks and Ms Macklin reporting on their administration
of the Victorian Branch and addressing particular issues,
namely their actions whilst administering the branch;
their disciplinary proceedings; and actions to ensure the
legitimacy of the membership of the branch; and also
addressing whether they had formed a view or had evidence
as to the breadth of branch stacking across the factions.

COMMISSIONER: This is a statement that has been provided
following your request for a statement?

MR CARR: That's so.

COMMISSIONER: Yes. And this document that you're now putting
on the screen, is that an attachment to that statement?

MR CARR: That is an annexure to that statement which is the
letter from Mr Andrews to the National Executive on
16 June last year asking the National Executive to appoint
Mr Bracks and Ms Macklin as administrators of
the Victorian Branch.

COMMISSIONER: Yes.

MR CARR: Now - - -

02:34:32PM
02:34:33PM
02:34:41PM
02:34:41PM
02:34:44PM
02:34:49PM
02:34:55PM
02:35:06PM
02:35:10PM
02:35:12PM
02:35:16PM
02:35:21PM
02:35:28PM
02:35:40PM
02:35:47PM
02:35:54PM
02:35:59PM
02:36:05PM
02:36:08PM
02:36:11PM
02:36:12PM
02:36:15PM
02:36:18PM
02:36:23PM
02:36:27PM
02:36:37PM
02:36:41PM
02:36:44PM
02:36:46PM

1 COMMISSIONER: You're going to make some reference to the 02:36:53PM
2 content of the statement? 02:36:54PM
3 MR CARR: I will, Commissioner. 02:36:55PM
4 COMMISSIONER: So I'll make the statement 129 and the 02:36:57PM
5 attachment 130. 02:37:00PM
6 02:37:02PM
7 #EXHIBIT 129 - Statement by Mr Bracks and Ms Macklin. 02:37:02PM
8 02:37:03PM
9 #EXHIBIT 130 - Letter from Mr Andrews to the National Executive 02:37:04PM
10 dated 16/06/20. 02:37:07PM
11 MR CARR: Now, can we start with the third paragraph. 02:37:07PM
12 Mr Somyurek, you can see that Mr Andrews says that he has 02:37:14PM
13 no confidence in the integrity of any voting rolls that 02:37:19PM
14 are produced for any internal elections in the Victorian 02:37:22PM
15 Branch? 02:37:28PM
16 MR SOMYUREK: Yep. 02:37:28PM
17 MR CARR: You'd feel the same way, that there was no integrity 02:37:28PM
18 in the voting rolls of the Victorian Branch at that time? 02:37:36PM
19 MR SOMYUREK: Can I make a pedantic point? It's probably too 02:37:41PM
20 pedantic, but pull me up for that. The voting rolls only 02:37:45PM
21 come out at election time when there's an internal 02:37:49PM
22 election. This is the membership list. 02:37:51PM
23 MR CARR: Let's not worry too much about that - - - 02:37:52PM
24 MR SOMYUREK: Yeah, all right. 02:37:56PM
25 MR CARR: The point he's making is there's no integrity in the 02:37:57PM
26 membership; you'd agree with that? 02:38:00PM
27 MR SOMYUREK: Okay, yep. 02:38:04PM
28 MR CARR: And he says in the fourth paragraph, 'I cannot accept 02:38:06PM
29 yet another review that, while well-intentioned, cannot 02:38:17PM

1 and will not deliver the profound reform that is 02:38:20PM
2 required.' Now, Mr Somyurek, I think in the course of 02:38:25PM
3 your evidence there's been at least passing reference to 02:38:29PM
4 the number of reports, reviews, recommendations in 02:38:33PM
5 relation to branch stacking in the Labor Party over the 02:38:40PM
6 last couple of decades? 02:38:44PM
7 MR SOMYUREK: Yeah. 02:38:45PM
8 MR CARR: You'd be familiar at least in a passing way with 02:38:48PM
9 their numerousness; yes? 02:38:54PM
10 MR SOMYUREK: Yes, there's been factional settlements all the 02:38:58PM
11 way through. 02:39:00PM
12 MR CARR: Sorry, there's been reviews, there's been 02:39:04PM
13 recommendations for reform, and I think you said in answer 02:39:07PM
14 to the last question there's been factional settlements 02:39:10PM
15 all the way through? 02:39:13PM
16 MR SOMYUREK: Reviews, reform, but based on factional 02:39:14PM
17 considerations, and that's how it's been handled. Unless 02:39:17PM
18 IBAC goes in with its coercive powers, all this is going 02:39:20PM
19 to be - it's going to continue. Unless you are able to go 02:39:25PM
20 into the whole party, we'll be - Adem Somyurek will be 02:39:28PM
21 seen to be an aberration and they will continue to do what 02:39:34PM
22 they're doing. 02:39:37PM
23 COMMISSIONER: Mr Somyurek, one thing is clear. The solution 02:39:38PM
24 to addressing the cultural issues, both in terms of branch 02:39:43PM
25 stacking and factional work and the cultural issue which 02:39:50PM
26 we discussed this morning concerning the way in which 02:39:57PM
27 members of parliament view their allowances and how they 02:40:00PM
28 may be deployed, is not going to be addressed by having an 02:40:06PM
29 integrity agency such as the Commission watching over 02:40:11PM

1 them. This Commission does not have the jurisdiction to 02:40:15PM
2 monitor the integrity of members of parliament. That is 02:40:23PM
3 going to have to come from some other source. And I think 02:40:29PM
4 we discussed this morning - - - 02:40:32PM
5 MR SOMYUREK: Yep. 02:40:34PM
6 COMMISSIONER: One of the solutions, and you mentioned a 02:40:35PM
7 parliamentary integrity office, but it needs to be 02:40:37PM
8 something, does it not, independent of parliament? 02:40:39PM
9 MR SOMYUREK: Yeah, it does. That's right. 02:40:40PM
10 COMMISSIONER: Yes. 02:40:48PM
11 MR CARR: And, just to track back a little bit very briefly, 02:40:48PM
12 you said in reference to the various reviews and reforms 02:40:52PM
13 that what had happened was factional settlement in each 02:40:55PM
14 case. I take it that what you meant by that was that 02:40:59PM
15 there was a fig leaf put over the problem and the factions 02:41:05PM
16 continued to go about their business? 02:41:13PM
17 MR SOMYUREK: Yep. 02:41:17PM
18 MR CARR: And you'd accept, I assume, based upon your 02:41:22PM
19 significant experience in branch stacking that profound 02:41:27PM
20 reform would be required for there to be change within the 02:41:36PM
21 ALP? 02:41:39PM
22 MR SOMYUREK: That's right. 02:41:40PM
23 MR CARR: I tender that - sorry, I have already tendered that, 02:41:42PM
24 Commissioner. 02:41:45PM
25 COMMISSIONER: That will be 130. 02:41:46PM
26 MR CARR: Now, I think you said in answer to a question from 02:41:53PM
27 the Commissioner earlier today that you had not paid 02:41:55PM
28 particular attention to subsequent developments in the 02:41:59PM
29 ALP? 02:42:04PM

1 MR SOMYUREK: I haven't. 02:42:04PM

2 MR CARR: So you're not in a position to indicate whether the 02:42:05PM

3 reforms that have been effected constitute the sort of 02:42:11PM

4 profound reform that has been identified as necessary by 02:42:17PM

5 Mr Andrews or by you? 02:42:20PM

6 MR SOMYUREK: Yeah, no, I'm not really. I haven't kept up to 02:42:22PM

7 date. I'm sort of - yeah. 02:42:26PM

8 MR CARR: Can we then go to p20 of the statement by Mr Bracks 02:42:29PM

9 and Ms Macklin. I first want to draw your attention to 02:42:35PM

10 the first four sentences of paragraph 110. They say, 'As 02:42:46PM

11 we described in our final report to the National 02:42:53PM

12 Executive, we form the view that the issue of branch 02:42:56PM

13 stacking was widespread within the branch. It was not an 02:42:58PM

14 issue that related to a single faction or few individuals. 02:43:02PM

15 The members whose memberships we revoked were from 02:43:06PM

16 branches that aligned with various factions and were not 02:43:10PM

17 isolated to one group within the branch. In our view, 02:43:13PM

18 prior to our appointment branch stacking was systemic 02:43:17PM

19 within the branch.' You, given your experience over the 02:43:20PM

20 years, are in a particular position to comment on that. 02:43:29PM

21 I take it that you'd say all of that is accurate and true? 02:43:35PM

22 MR SOMYUREK: Yep. 02:43:38PM

23 MR CARR: Now, can we skip over the next sentence for a moment 02:43:43PM

24 and go to paragraph 111, 'We also form the view that 02:43:46PM

25 branch stacking, although pernicious in its own right, was 02:43:52PM

26 a symptom of deeper cultural issues that had emerged 02:43:56PM

27 within the branch. A 'winner takes all' mentality had 02:44:01PM

28 emerged within some factional groups, a mentality that was 02:44:04PM

29 exacerbated by a vulcanisation of two major factions.' 02:44:10PM

1 Now, you'll remember giving evidence yesterday that you 02:44:11PM
2 lost perspective? 02:44:20PM
3 MR SOMYUREK: That's right. 02:44:22PM
4 MR CARR: You described it as temporary insanity? 02:44:23PM
5 MR SOMYUREK: Yeah. 02:44:26PM
6 MR CARR: That was a product of this 'winner takes all'
7 mentality? 02:44:31PM
8 MR SOMYUREK: No, it was - no. What I meant by that is the war 02:44:32PM
9 in Holt. I had - as you can hear in the clip you played, 02:44:40PM
10 the intercept, I think was it the intercept, whatever, the 02:44:47PM
11 clip you played in 23 November where I was - you can see 02:44:50PM
12 that I was at breaking point anyway. I was really busy 02:44:53PM
13 with my ministry. And then I had gone to a State 02:44:57PM
14 Conference where everyone - there were problems all over 02:45:01PM
15 the place where I had to fix everyone's problems. And 02:45:05PM
16 then the Premier's faction declares war on us on the 02:45:07PM
17 ground in Holt. So that was my - then I lost all 02:45:11PM
18 perspective trying to fight them, essentially. But in 02:45:15PM
19 terms of the - yeah. That's my short answer to that 02:45:20PM
20 question. 02:45:23PM
21 MR CARR: Let's leave aside the 'winner takes all' mentality. 02:45:26PM
22 I assume you accept that what they say about there being 02:45:30PM
23 deeper cultural issues that are part of the foundation for 02:45:35PM
24 branch stacking, I assume you'd accept that? 02:45:43PM
25 MR SOMYUREK: I would accept that. Can I make one point. I'm 02:45:46PM
26 not going to name names; okay? I named some names of 02:45:48PM
27 factional secretaries working in ministerial officers. 02:45:52PM
28 And then someone very high up denied that straightaway and 02:45:55PM
29 basically suggested I lied to IBAC. That person - one of 02:45:58PM

1 the people that I named that was a factional secretary 02:46:01PM
2 worked in a minister's office came out and to his credit 02:46:03PM
3 accepted that he did that. 02:46:07PM
4 So if we have senior people denying then lying - 02:46:09PM
5 that's what happens, you deny then lie, because you know 02:46:13PM
6 no-one's going to get to the truth. Once we break that 02:46:17PM
7 culture of denying and lying - we have to break that 02:46:19PM
8 culture first. Like, it's been quite a cathartic 02:46:22PM
9 experience for me having to declare that I paid for 02:46:26PM
10 memberships for 20 years. And Anthony Byrne as well. So 02:46:28PM
11 denying and lying is a big problem. 02:46:34PM
12 We need party leaders, people that have been 02:46:36PM
13 successful in the Australian Labor Party, to come out, 02:46:39PM
14 tell their own story without others having to tell their 02:46:41PM
15 story for them, and do a mea culpa, say, 'Yes, we've all 02:46:44PM
16 benefitted from this, but it's time to change.' But 02:46:49PM
17 you've got to own up to it, Commissioner. Unless people 02:46:52PM
18 of standing and status own up to it and say it's wrong, 02:46:56PM
19 people will always say, 'Joe Blogg has done this too. 02:46:59PM
20 Look where he is.' That's my point. There needs to be 02:47:02PM
21 senior people actually get up and say, 'Yep, I've done 02:47:04PM
22 this, but it's wrong; and I've progressed because of this, 02:47:07PM
23 but it's wrong;' okay? That's when reform can happen, 02:47:10PM
24 when people own up to. 02:47:12PM
25 MR CARR: I will come back to that issue, Mr Somyurek. Just 02:47:16PM
26 while we've got this document in front of us you can see 02:47:23PM
27 that in the final sentence of paragraph 110 they give 02:47:27PM
28 their view of the situation, 'We considered that the 02:47:38PM
29 activities of one subfaction, the Moderate Labor group, 02:47:43PM

1 represented the most egregious conduct in this regard and 02:47:46PM
2 caused other groups to form the view that in order to 02:47:49PM
3 survive they were required to engage in such conduct.' 02:47:52PM
4 Just continuing with the theme in paragraph 112 - - - 02:47:58PM
5 COMMISSIONER: Just before you do, I see you shaking your head, 02:48:02PM
6 Mr Somyurek. I take it that's because, as you've just 02:48:04PM
7 testified a few moments ago and then before lunch, you say 02:48:12PM
8 you were responding to the activities of others? 02:48:16PM
9 MR SOMYUREK: That's right. That's right. So, Commissioner, 02:48:21PM
10 another thing that happens, the winner - obviously like in 02:48:24PM
11 history - you get to write the - you get to write the 02:48:26PM
12 history. So, you know, you've got to accept that there 02:48:29PM
13 has to be a bad guy and I'm the bad guy here. But when 02:48:33PM
14 I had influence I always - I'm not the most charismatic 02:48:37PM
15 guy in the world. I'm a hard worker. I'm passionate. 02:48:43PM
16 I'm obsessive. But I worked to a principle of 02:48:47PM
17 proportionality and consensus decision making, 02:48:52PM
18 Commissioner. I was all about consensus, otherwise no-one 02:48:53PM
19 would have followed me. 02:48:55PM
20 COMMISSIONER: Mr Somyurek, of course it may well be that 02:48:57PM
21 Messrs Macklin and Bracks didn't have the benefit of the 02:49:07PM
22 same level of detail and information about others that 02:49:13PM
23 were engaged in branch stacking as they obviously had in 02:49:18PM
24 relation to you and the Moderate Right because of the 02:49:22PM
25 60 Minutes program and The Age. 02:49:25PM
26 MR SOMYUREK: That's right. Yep. 02:49:29PM
27 MR CARR: They continue with that theme in paragraph 112 and 02:49:38PM
28 say - refer to a fear of the power you had amassed. They 02:49:47PM
29 say, 'It was commonly known that Mr Somyurek had been 02:49:53PM

1 recruiting broadly, including genuine and non-genuine 02:49:56PM
2 members, and as a bulwark we believe that other groups 02:50:00PM
3 engaged in branch stacking to obtain a level of branch 02:50:04PM
4 within the branch.' You say it's the other way around? 02:50:07PM
5 MR SOMYUREK: This is convenient. Yeah, absolutely. I'm 02:50:10PM
6 persona non grata when they're writing this. So it's an 02:50:13PM
7 easy thing to say, yeah. 02:50:17PM
8 MR CARR: And of course it leaves unexplained why, if it was so 02:50:22PM
9 commonly known that you had been branch stacking, why the 02:50:26PM
10 party was unable to clean its own house prior to the 02:50:33PM
11 60 Minutes report. I assume that you say that's because 02:50:37PM
12 this was the way the party had always operated and there 02:50:45PM
13 was no will to reform? 02:50:50PM
14 MR SOMYUREK: Sorry, in terms of just branch stacking? 02:50:54PM
15 MR CARR: Yes. They say in paragraph 112, the second sentence, 02:50:57PM
16 'It was commonly known that Mr Somyurek had been 02:51:04PM
17 recruiting broadly, including genuine and non-genuine 02:51:07PM
18 members, and as a bulwark' and they go on. 02:51:10PM
19 MR SOMYUREK: Yep. 02:51:14PM
20 MR CARR: Now, the obvious question is why the party didn't 02:51:14PM
21 have the will to clean its own house if your activities 02:51:18PM
22 were so widely known, and I'm wondering whether your 02:51:22PM
23 explanation for the party's inability to clean its own 02:51:29PM
24 house prior to the 60 Minutes report is that this was 02:51:33PM
25 activity that was on both sides of the fence - - - 02:51:40PM
26 MR SOMYUREK: Absolutely. 02:51:45PM
27 MR CARR: And it was in no-one's interest to disturb the 02:51:47PM
28 balance by publicising these problems. 02:51:51PM
29 MR SOMYUREK: No, absolutely. I was acting within the culture 02:51:54PM

1 of the party. I was - just think about this. The unruly 02:51:58PM
2 tribes of the Right were united for the first time in 02:52:03PM
3 12 years, or 10 years. Why would they follow and - why 02:52:06PM
4 would they follow someone like me? That's because I was 02:52:12PM
5 willing to put myself out - it was consensus decision 02:52:14PM
6 making. It was based on principle. I hadn't gone mad. 02:52:17PM
7 These union secretaries wouldn't have followed me. 02:52:21PM
8 They're dealing with captains of industry all the time. 02:52:23PM
9 They're leaders of big organisations. They're not stupid 02:52:26PM
10 people. Some of them might have different - you know, 02:52:29PM
11 some of them might be a little bit more rough than the 02:52:31PM
12 others; but they're all sophisticated, intelligent people. 02:52:34PM
13 They wouldn't have been following me; right? If they saw 02:52:37PM
14 that I was doing something bad they would have pulled me 02:52:40PM
15 up. But - if I was acting well outside the culture. But 02:52:43PM
16 in order to - in order to get to the change that you're 02:52:47PM
17 looking for, leaders have got to come out and say it's not 02:52:50PM
18 acceptable and own up to it; and own up to it. 02:52:56PM
19 MR CARR: Can I play you a clip in a moment, it's clip 15-1, 02:53:03PM
20 which gives some sort of insight into your - or I suggest 02:53:11PM
21 and I'll ask you to listen to it and comment on this 02:53:17PM
22 proposition, gives some insight into your approach to what 02:53:20PM
23 you describe as consensus building? 02:53:27PM
24 MR SOMYUREK: This is (indistinct) in the war, is it? 02:53:31PM
25 MR CARR: This is 16 February 2020. 02:53:32PM
26 MR SOMYUREK: That was when I was raging. This was when I was 02:53:35PM
27 raging. 02:53:41PM
28 (Audio recording played to the Commission.) 02:53:55PM
29 MR SOMYUREK: This is when I lost perspective. This is during 02:56:01PM

1 the war. This is the temporary insanity period; right? 02:56:04PM

2 MR CARR: Certainly at least during that period the attitude 02:56:07PM

3 you're expressing is an attitude that you've got to be 02:56:11PM

4 tough with MPs and - - - 02:56:18PM

5 MR SOMYUREK: No. Can I give you one reason and you'll get 02:56:19PM

6 this - and this is a good insight into you too; who has 02:56:23PM

7 got votes, how you treat people. Hong Lim - the only 02:56:27PM

8 reason I was saying that - Heang is a lovely guy. He is a 02:56:30PM

9 very, very nice guy. His predecessor, Hong, drove a very 02:56:36PM

10 hard bargain. 'I've got eight votes, I've got 10 votes, 02:56:40PM

11 and I expect you to get on your knees or I expect to be a 02:56:42PM

12 minister with eight votes'; you know what I mean? He 02:56:46PM

13 drove a very hard bargain with however many votes he had. 02:56:48PM

14 So that's not what we wanted from his predecessor to sort 02:56:52PM

15 of - from his successor to continue that, you know, 02:56:56PM

16 extorting, I guess, because you've got votes on the 02:57:00PM

17 organisation, you know. So we wanted to put a thing 02:57:04PM

18 around him a bit. But this is the period where 02:57:06PM

19 I've described myself as a boofhead. I mean, you're just 02:57:08PM

20 going to prove I was more of a - continue to prove I was a 02:57:12PM

21 boofhead during this period. I told you I was. 02:57:13PM

22 MR CARR: I don't want to use language like that. I just want 02:57:16PM

23 to characterise the conduct. Your conduct around this 02:57:20PM

24 period - and correct me if I'm wrong - is seeking to 02:57:26PM

25 exercise control; yes? 02:57:31PM

26 MR SOMYUREK: It's seeking to hit back at the Socialist Left. 02:57:35PM

27 MR CARR: But to the extent that that requires you to exercise 02:57:38PM

28 control and impose discipline on MPs then that's part of 02:57:42PM

29 it? 02:57:46PM

1 MR SOMYUREK: It means making everyone understand that the 02:57:46PM
2 19-year deal we had is gone. Unless we do something about 02:57:50PM
3 it, they're going to come after all the Right MPs in the 02:57:54PM
4 area, is basically the thing I've got. 02:57:58PM
5 MR CARR: That's the reason. But the way that you had to do 02:58:06PM
6 that was to enforce discipline and control, isn't that 02:58:09PM
7 right? 02:58:14PM
8 MR SOMYUREK: You can say whatever you want. We had to get 02:58:18PM
9 ready for the war. Basically it was mobilising for war, 02:58:20PM
10 you know. 02:58:24PM
11 MR CARR: I tender that, Commissioner. 02:58:25PM
12 MR SOMYUREK: I'm sure you can find lots of clips around that 02:58:29PM
13 time of me acting badly. 02:58:31PM
14 COMMISSIONER: That's 131. 02:58:36PM
15 02:58:37PM
16 #EXHIBIT 131 - Clip 15-1, audio recording and transcript dated 02:58:38PM
17 16/02/20. 02:58:38PM
18 COMMISSIONER: Have you concluded with the Bracks-Macklin - - - 02:58:40PM
19 MR CARR: I have, Commissioner. 02:58:43PM
20 COMMISSIONER: Mr Somyurek, the report of Mr Bracks and 02:58:44PM
21 Ms Macklin of 2021 addressed the culture of branch 02:58:59PM
22 stacking. 02:59:06PM
23 MR SOMYUREK: Yep. 02:59:07PM
24 COMMISSIONER: And in the course of that report addressed the 02:59:08PM
25 conduct of party staffers. 02:59:17PM
26 MR SOMYUREK: Yep. 02:59:18PM
27 COMMISSIONER: But it didn't seek to address - and there may be 02:59:19PM
28 good reasons why, it didn't seek to address the issue of 02:59:21PM
29 the use of electoral officers or ministerial advisers to 02:59:28PM

1 support factional operations. That brings us to the point 02:59:33PM
2 that's got to be recognised, does it not; it will never be 02:59:44PM
3 enough that the party adopts the reforms, as it has that 02:59:48PM
4 they proposed, because that doesn't address the culture 02:59:55PM
5 that exists at a parliamentary level? 02:59:59PM
6 MR SOMYUREK: Yep. You're right. But even - this IBAC report 03:00:02PM
7 will be dismissed as one group who were an aberration, and 03:00:14PM
8 then when the media is not looking that same culture will 03:00:19PM
9 continue. I'm telling you what's going to happen. And 03:00:23PM
10 the more they kick the hell out of me the easier it will 03:00:27PM
11 be for them to continue their own normal practice. I've 03:00:31PM
12 been there, Commissioner. I know exactly what they're 03:00:34PM
13 doing; right? They've got their - you know, they're 03:00:36PM
14 keeping their head down at the moment; right? The numbers 03:00:40PM
15 are there still - - - 03:00:44PM
16 COMMISSIONER: I don't think that sort of prognostication is 03:00:45PM
17 going to be helpful, Mr Somyurek. 03:00:49PM
18 MR SOMYUREK: Okay. All right. I won't do that. Yeah. But 03:00:51PM
19 if you want reform of the political 03:00:58PM
20 appointments - I actually can't see why - I had a Local 03:01:01PM
21 Government adviser straight from the department. I didn't 03:01:04PM
22 need to put a political overlay over what she did. So 03:01:07PM
23 I guess you can have ministers without a political 03:01:12PM
24 overlay, and the politicians will put the political 03:01:17PM
25 overlay on the departmental advice that comes through. Do 03:01:20PM
26 you know what I mean? You don't need an intermediary to 03:01:23PM
27 do that. And it worked quite well with my Local 03:01:25PM
28 Government adviser. She wasn't politically savvy. She 03:01:29PM
29 was an expert in local government. That's one way. 03:01:32PM

1 COMMISSIONER: But the events of the last five years, starting 03:01:35PM
2 with the Red Shirts saga and leading up to and concluding 03:01:39PM
3 with what's now emerged in relation to branch stacking and 03:01:45PM
4 the role of factional operatives suggests that there are 03:01:49PM
5 embedded cultural incentives to members of parliament 03:01:59PM
6 continuing to deploy public funds for work that does not 03:02:03PM
7 serve the public duties they are meant to be discharging. 03:02:11PM
8 That's so, isn't it? 03:02:21PM
9 MR SOMYUREK: Yeah, but I think you need to - I think you need 03:02:27PM
10 to get to the - I think you need to stop branch stacking. 03:02:30PM
11 I think you need to stop it at the - on the demand side, 03:02:33PM
12 really. I think, you know, that's where I think you need 03:02:40PM
13 to stop it, on the demand side. I think my view is that 03:02:43PM
14 there will be great resistance to changing the status of 03:02:47PM
15 political appointments. 03:02:51PM
16 COMMISSIONER: Be that as it may, addressing the branch 03:02:54PM
17 stacking only addresses half of the cultural problems. 03:02:57PM
18 MR SOMYUREK: Yeah. 03:02:59PM
19 COMMISSIONER: Because as you've indicated sometimes 03:03:01PM
20 reluctantly - - - 03:03:05PM
21 MR SOMYUREK: Yep. 03:03:08PM
22 COMMISSIONER: But as you've indicated in the course of your 03:03:09PM
23 evidence there's a strong incentive for members of 03:03:11PM
24 parliament to engage in a range of political activities 03:03:16PM
25 and factional work which you have said is necessary or 03:03:20PM
26 their survival. 03:03:30PM
27 MR SOMYUREK: That's right. Exactly. So how do you - yeah. 03:03:31PM
28 COMMISSIONER: And that's got to be addressed, Mr Somyurek. 03:03:33PM
29 MR SOMYUREK: Absolutely. Absolutely, yep, yep. 03:03:38PM

1 COMMISSIONER: Yes, Mr Carr. 03:03:39PM

2 MR CARR: Thank you, Commissioner. Now I just want to give you 03:03:42PM

3 the opportunity. You've indicated that you don't accept 03:03:50PM

4 some of the evidence given by Ms Schreiber? 03:03:56PM

5 MR SOMYUREK: No. 03:03:59PM

6 MR CARR: I just want to take you through a process to identify 03:03:59PM

7 the dispute between you and her; okay? 03:04:03PM

8 MR SOMYUREK: Right. 03:04:06PM

9 MR CARR: Now, let me summarise for you the effect of her 03:04:09PM

10 evidence. Now, she worked for you between January and 03:04:12PM

11 August 2019. That's not in dispute? 03:04:17PM

12 MR SOMYUREK: No. 03:04:19PM

13 MR CARR: Now, she suggested that the factional work really 03:04:23PM

14 ramped up at a point in time that she thought was perhaps 03:04:26PM

15 June or July through to when she left in August, and that 03:04:29PM

16 at times it was occupying up to somewhere around 03:04:33PM

17 80 per cent of her working day. Now, do you accept that 03:04:36PM

18 aspect of it? 03:04:42PM

19 MR SOMYUREK: No, I don't. 03:04:44PM

20 MR CARR: Okay. We'll come back to that. I just want to 03:04:45PM

21 identify the area of dispute. Now, she said that she 03:04:48PM

22 continued her involvement in factional work after she went 03:04:54PM

23 to Mr Byrne's office she thought for about a month, but 03:05:00PM

24 she identified that it was until State Conference. Now, 03:05:05PM

25 we've already listened to a phone call, or a recording 03:05:10PM

26 rather, earlier today in which you're saying to Lou, 'Elle 03:05:16PM

27 is part of your team that you've got to manage.' That 03:05:24PM

28 phone call was on about 22 November 2019. 03:05:28PM

29 MR SOMYUREK: 23 November, yep. 03:05:31PM

1 MR CARR: And in that phone call there was reference to the 03:05:32PM
2 very recent past being State Conference; do you remember 03:05:38PM
3 that? 03:05:44PM
4 MR SOMYUREK: Yes, yes, yes, yes, yes, yes. 03:05:45PM
5 MR CARR: So if we assume that Ms Schreiber's wrong about the 03:05:48PM
6 about a month that she was involved after she left your 03:05:57PM
7 office, but that she's accurate in describing her 03:06:00PM
8 involvement in factional work as continuing up until about 03:06:04PM
9 the time of State Conference - we know that was in 03:06:10PM
10 November? 03:06:16PM
11 MR SOMYUREK: She said September, yep. 03:06:16PM
12 MR CARR: She thought it was about a month. But we know she's 03:06:17PM
13 wrong about when State Conference was, because State 03:06:21PM
14 Conference was in November, just immediately prior to that 03:06:24PM
15 22 or 23 November phone call at which stage she's still 03:06:29PM
16 involved. 03:06:34PM
17 MR SOMYUREK: Yep. 03:06:34PM
18 MR CARR: So - - - 03:06:36PM
19 MR SOMYUREK: She's also made the statements that she did no 03:06:37PM
20 factional work in Anthony Byrne's office. 03:06:40PM
21 MR CARR: No, I'm not sure - - - 03:06:42PM
22 MR SOMYUREK: No, she did. And my contention is she in fact 03:06:44PM
23 started her factional work at Anthony Byrne's office. 03:06:51PM
24 Now, I've referred to two incidents where Nick McLennan 03:06:56PM
25 has given her work to do. One was that big exercise in 03:07:02PM
26 checking AEC details. I've taken you through that, so 03:07:06PM
27 I don't need to go through that again, where Mr Byrne 03:07:10PM
28 directed them to do it. And then there was another one 03:07:12PM
29 about a database, that I recall she came in with a 03:07:14PM

1 database and I said to her, 'Why are you doing this;' 03:07:18PM
2 right? Anyway - - - 03:07:22PM
3 MR CARR: Let's treat it as common ground that she was involved 03:07:24PM
4 in factional activity when she was in Mr Byrne's office 03:07:26PM
5 doing tasks of that nature. 03:07:30PM
6 MR SOMYUREK: Okay. So my contention, I did not want 03:07:32PM
7 her - I wanted an EA to do my diary. I didn't want my EA 03:07:38PM
8 to be political. That's why I kept the department EA. If 03:07:44PM
9 you talk about patronage, \$100,000 job just to do a diary, 03:07:48PM
10 you know. So I clearly wanted a separation between my EA 03:07:52PM
11 and my factional work. 03:07:55PM
12 Ms Schreiber said in her evidence I'm pretty sure 03:07:57PM
13 that I sort of wanted her to be a member of the party. 03:08:01PM
14 I did not. She met Mr McLennan. They were both from 03:08:04PM
15 Beaconsfield. Mr McLennan knew her partner; they were 03:08:08PM
16 mates. And they went off. They're the same age group. 03:08:13PM
17 They went off and did what they did there. And she ended 03:08:17PM
18 up attending the February 25 meeting of Nick McLennan's 03:08:20PM
19 branch. I didn't even know about it. 03:08:23PM
20 Her membership came through on 5 May. So she 03:08:26PM
21 couldn't have been involved until 5 May. She didn't 03:08:29PM
22 go - she didn't attend MAC meeting on May. 27 June Admin 03:08:33PM
23 meeting endorsed her to go on MAC, which was July. Now, 03:08:39PM
24 do you remember I said there was a blockage. Her brief 03:08:44PM
25 was - - - 03:08:47PM
26 MR CARR: Can I just apprehend you may be assisted by this, so 03:08:47PM
27 can we perhaps look at exhibit 459 just to get our 03:08:52PM
28 chronology right. And we just need to see the bottom part 03:08:57PM
29 of the email. You can see that's an email from 03:09:05PM

1 Ms Kingshott on 25 June. 'She's unable to attend MAC and 03:09:22PM
2 Admin this week. Ms Schreiber will be her proxy.' Do you 03:09:29PM
3 see that? 03:09:33PM
4 MR SOMYUREK: Yep. Fine. 03:09:34PM
5 MR CARR: So can we accept then that her MAC/Admin Committee 03:09:35PM
6 tasks started at least by 25 June? 03:09:44PM
7 MR SOMYUREK: Yep. Now, she had carriage over the Truganina 03:09:49PM
8 branch. This is the one that I'm really focused on 03:09:52PM
9 because of Sarah Connolly. 03:09:54PM
10 MR CARR: Can we just defer that for a moment because if 03:09:57PM
11 I - Commissioner, I tender that document, which is the 03:10:02PM
12 email of 25 June 2019 from Ms Kingshott to Ms Psaila and 03:10:07PM
13 Mr McLennan. 03:10:18PM
14 COMMISSIONER: 132. 03:10:20PM
15 03:10:21PM
16 #EXHIBIT 132 - Email from Ms Kingshott to Ms Psaila and 03:10:21PM
17 Mr McLennan dated 25/06/19. 03:10:18PM
18 MR CARR: And then could we look at exhibit 224, please. This 03:10:22PM
19 is an email that I suspect you would have noted during 03:10:37PM
20 Ms Schreiber's evidence. It's an email of 24 June 2019 in 03:10:40PM
21 which Mr Goodwin refers to him and Ms Schreiber. If we go 03:10:50PM
22 down to the bottom, the bottom of the page and over to the 03:11:01PM
23 next page - we've only got this page. You can see at the 03:11:04PM
24 bottom, 24 June 2019, Mr Goodwin writes that he and 03:11:10PM
25 Ms Schreiber are in the process of going through Central 03:11:18PM
26 Branch applications in irregularities, and asks in the 03:11:21PM
27 part that you don't have access to for the contact details 03:11:28PM
28 for the organisers responsible. And then there's that 03:11:35PM
29 long list of organisers. And if we go up further you'll 03:11:38PM

1 see the remainder of the list. 03:11:42PM

2 MR SOMYUREK: Can you go up - down a bit more. Right, okay. 03:11:49PM

3 MR CARR: So the point of showing you this is to refresh your 03:11:53PM

4 memory that Ms Schreiber by 24 June seems to be well 03:12:00PM

5 ensconced in the MAC examination of members that she 03:12:08PM

6 talked about. Now, do you accept that? 03:12:15PM

7 MR SOMYUREK: Well, it looks like they've given her something 03:12:18PM

8 to do there. Okay. But I contend that the emails that 03:12:21PM

9 I've given you - that I've sent to you - I don't have any 03:12:27PM

10 emails from her to me. The times her emails started to 03:12:31PM

11 me, factional emails, was 1 October. And the reason is 03:12:38PM

12 I did not want to engage her on factional matters. I did 03:12:42PM

13 not want her to be factional. I didn't want her to be 03:12:46PM

14 political. 03:12:49PM

15 That is why I sat down with her and asked her 03:12:50PM

16 what she wanted to do with herself, because I saw that she 03:12:53PM

17 was starting to hang out with Nick and the factional 03:12:56PM

18 people, and we had a chat. Before that Byrne said he was 03:12:59PM

19 interested in taking her on. And she said she wanted to 03:13:04PM

20 be an adviser. I said, 'Well, you can't - you know, 03:13:08PM

21 you're not going to get there from here.' She said she 03:13:12PM

22 was sick of being an EA; she wanted to be involved. So I 03:13:15PM

23 suggested going to Mr Byrne's office, and I told her 03:13:18PM

24 that's where Mr Donnellan and I started, that's where Nick 03:13:20PM

25 started. I said to her, 'Well, why don't you go and start 03:13:24PM

26 a degree. You know, go and get yourself involved in 03:13:27PM

27 politics at Mr Byrne's office, and then you can come back 03:13:31PM

28 as an adviser.' 03:13:34PM

29 So the reason I'm having that chat with her is 03:13:36PM

1 I can see her wanting to go to the factional political 03:13:38PM
2 things whereas I want an EA that does my diary. So we had 03:13:41PM
3 that chat, and by August she's gone; okay? So that's the 03:13:45PM
4 entire reason why I wanted to move her on, because she 03:13:49PM
5 actually wanted to do other things, not stay as an EA. 03:13:52PM
6 She wanted to do politics. 03:13:55PM
7 MR CARR: All right. Just so we are clear on the area of 03:13:57PM
8 dispute somebody will need to sort out as between you and 03:14:05PM
9 her, based on the material I've shown to you you accept 03:14:07PM
10 that she was involved in factional work in June, July, 03:14:11PM
11 August; yes? 03:14:14PM
12 MR SOMYUREK: Well, someone's given her something in late June, 03:14:16PM
13 so that means July, and by August she's gone. 03:14:18PM
14 MR CARR: So the area of difference between you and her is in 03:14:23PM
15 you say you didn't want her doing factional work and she 03:14:32PM
16 says the opposite? 03:14:37PM
17 MR SOMYUREK: No. I did not want her doing - that's why she 03:14:38PM
18 was no longer in my office, because I asked Byrne if he 03:14:41PM
19 wanted to take her on. He was keen on her. And then we 03:14:46PM
20 had a chat about her future. I asked her what she wanted 03:14:49PM
21 to do. 03:14:52PM
22 MR CARR: I tender that document, Commissioner. 03:14:53PM
23 COMMISSIONER: That will be 133. 03:14:54PM
24 03:14:55PM
25 #EXHIBIT 133 - Exhibit 224, email dated 24/06/19. 03:14:56PM
26 MR CARR: I'm just moving to another topic. 03:14:57PM
27 COMMISSIONER: Anything, Mr Gullaci? 03:14:59PM
28 MR GULLACI: Just briefly, Your Honour, and this is the last 03:15:03PM
29 thing I'm hoping that I'll have to intervene on, but 03:15:05PM

1 I just want to ask a couple more questions about 03:15:08PM
2 Ms Schreiber, if I could. 03:15:10PM
3 COMMISSIONER: Yes. 03:15:11PM
4 <EXAMINED BY MR GULLACI, continued: 03:15:13PM
5 MR GULLACI: Mr Somyurek, just to be clear about it, the period 03:15:14PM
6 of employment that Mr Carr first asked you about 03:15:17PM
7 concerning Ms Schreiber, being January to August 2019, 03:15:19PM
8 which office was she employed in: your ministerial office 03:15:37PM
9 or your electoral office? 03:15:41PM
10 MR SOMYUREK: My ministerial office. 03:15:43PM
11 MR GULLACI: I know that's probably clear from the totality of 03:15:44PM
12 the evidence, but I just wanted to clear that up. Now, 03:15:46PM
13 when she was employed in your office as your EA, and this 03:15:50PM
14 is a word that's been used during questioning of you, was, 03:15:55PM
15 to your understanding, she to be employed as the factional 03:15:59PM
16 operative in your office? 03:16:03PM
17 MR SOMYUREK: Absolutely not. That's - no. No, no, no. 03:16:04PM
18 MR GULLACI: And, again, Mr Carr's just taken you to some 03:16:11PM
19 information that has shown that Ms Schreiber may have had 03:16:13PM
20 some or did have some involvement in MAC from June or 03:16:16PM
21 thereabouts onwards in 2019. While she was employed for 03:16:19PM
22 you as an EA, that is Ms Schreiber, did you direct her to 03:16:28PM
23 do any factional work while she was working in your 03:16:33PM
24 ministerial office? 03:16:35PM
25 MR SOMYUREK: My only two engagements with her was when 03:16:38PM
26 she - the two that I've previously discussed. I can't 03:16:42PM
27 recall any other engagement, and I felt that she might 03:16:45PM
28 have been trying to do factional things to ingratiate 03:16:48PM
29 herself with me. I didn't want - I wanted to keep her at 03:16:53PM

1 arm's length, yeah. I didn't want my EA to be factional. 03:16:56PM

2 MR GULLACI: Mr Somyurek, just so that we're clear, the 03:17:03PM

3 question I asked you was - I know you say there were two 03:17:04PM

4 occasions when you became aware that she was doing 03:17:07PM

5 factional work in your office. Was either of that 03:17:10PM

6 occasion at your direction? 03:17:14PM

7 MR SOMYUREK: No. 03:17:16PM

8 COMMISSIONER: Mr Gullaci, I'm sure you appreciate from the 03:17:17PM

9 body of evidence that's been canvassed there have been a 03:17:22PM

10 number of occasions where Mr Somyurek has made the same 03:17:25PM

11 point, that he never directed a particular member of his 03:17:29PM

12 staff to do factional work, and yet the evidence is clear 03:17:34PM

13 that, whether he directed them or not, they did engage in 03:17:38PM

14 factional work and he must have become aware of it and 03:17:42PM

15 thereby approved it. 03:17:46PM

16 MR GULLACI: Commissioner, that's why I've tried to take this 03:17:49PM

17 point up, because there does seem to have been previous 03:17:51PM

18 evidence given by Mr Somyurek earlier in the week where 03:17:54PM

19 there were these two occasions, and, again, it's a matter 03:17:56PM

20 for you, Commissioner, as to what you ultimately find, 03:17:59PM

21 I totally understand that. 03:18:02PM

22 COMMISSIONER: That's just drawing that point to you, that I'm 03:18:03PM

23 not sure how far the question 'did I direct her to do so' 03:18:06PM

24 takes Mr Somyurek. 03:18:10PM

25 MR GULLACI: Yes. They're the only questions I wanted to ask, 03:18:11PM

26 in any event, Commissioner. 03:18:13PM

27 COMMISSIONER: Thank you. Yes, Mr Carr. 03:18:15PM

28 MR CARR: Thank you, Commissioner. 03:18:17PM

29 <EXAMINED BY MR CARR, continued: 03:18:17PM

1 MR CARR: Now, Mr Somyurek, there's just a couple more issues, 03:18:17PM
2 which might be fairly brief, that I need to cover with 03:18:26PM
3 you. You've described a strategy this afternoon, in your 03:18:30PM
4 words 'deny, then lie', not a strategy that you 03:18:38PM
5 necessarily attribute solely to yourself but that is a 03:18:43PM
6 strategy that you've adopted? 03:18:46PM
7 MR SOMYUREK: We have, absolutely. Absolutely. 03:18:47PM
8 MR CARR: I can take you to some other examples but the one in 03:18:52PM
9 particular I want to direct your attention to is you 03:18:56PM
10 submitting the submission to IBAC asserting certain things 03:19:00PM
11 in November last year? 03:19:07PM
12 MR SOMYUREK: Yeah, this is interesting. I don't think I lied 03:19:12PM
13 to IBAC or anyone, yep. 03:19:14PM
14 MR CARR: Let me just take you to a couple of aspects. I don't 03:19:16PM
15 want to take too long over this, but one of the statements 03:19:19PM
16 in that submission was, 'After McLennan went into 03:19:24PM
17 Kairouz's office he did not have any factional role.' 03:19:32PM
18 That's not accurate, is it? 03:19:35PM
19 MR SOMYUREK: It is accurate in that he didn't have a role. He 03:19:37PM
20 wasn't on Admin. He wasn't on MAC. He wasn't the same 03:19:39PM
21 sort of - he used to run the faction, and the intention of 03:19:44PM
22 him going there was not to be factional. But obviously 03:19:49PM
23 what we've uncovered is that he's done factional stuff. 03:19:53PM
24 MR CARR: And a lot of it? 03:19:58PM
25 MR SOMYUREK: Probably. 03:20:00PM
26 COMMISSIONER: And you became aware of it? 03:20:02PM
27 MR SOMYUREK: Yeah, but, Commissioner, I sort of - you know, as 03:20:04PM
28 your - when I look - honestly, my memory is that Nick was 03:20:09PM
29 no longer - maybe I expected more - I was used to Nick 03:20:12PM

1 being right involved. But from looking back I thought - 03:20:16PM
2 before this inquiry I thought he was just peripheral. But 03:20:19PM
3 obviously he's come up in key times, hasn't he. So 03:20:23PM
4 I concede that. 03:20:26PM
5 COMMISSIONER: Yes. Yes, Mr Carr. 03:20:29PM
6 MR CARR: You also said, 'Any scrutiny of my office expenditure 03:20:33PM
7 would show that there is minimal prospect of misuse of 03:20:35PM
8 taxpayer money from my office budget.' That's not 03:20:38PM
9 accurate, is it? 03:20:41PM
10 MR SOMYUREK: Again, what you've got is intensive activity. 03:20:44PM
11 So - this is human nature. I think - I look at my office 03:20:49PM
12 and think, 'Well, they're just sitting there. There's 03:20:52PM
13 nothing to do' - I think there's nothing to do. So, 03:20:55PM
14 that's - you would say that's a waste. But I think 03:20:57PM
15 they're not really engaging in factional politics. But 03:20:59PM
16 when you uncover text messages during renewals and during 03:21:02PM
17 the National Conference, yes, of course I reassess that. 03:21:06PM
18 But what I mean by denying and lying, that's not what 03:21:12PM
19 I meant. You know, I've seen - when I've seen the text 03:21:15PM
20 messages during work hours, they've done things, and 03:21:17PM
21 I obviously concede that, yeah. 03:21:20PM
22 MR CARR: And you gave a quite specific explanation of how you 03:21:23PM
23 came to hand cash from an ATM to Mr McLennan? 03:21:33PM
24 MR SOMYUREK: Yep. 03:21:38PM
25 MR CARR: You said in effect - and I can take you to the 03:21:38PM
26 particular page if it assists, but I suspect you'll 03:21:49PM
27 remember. You said in effect that, due to COVID and Lou 03:21:52PM
28 being apprehensive about handling paperwork, you took on 03:22:05PM
29 that task? 03:22:09PM

1 MR SOMYUREK: Yep. 03:22:10PM

2 MR CARR: And you thought you should bear the risk of being 03:22:10PM

3 exposed to COVID rather than staff? 03:22:13PM

4 MR SOMYUREK: Yep. 03:22:15PM

5 MR CARR: And you decided to pay yourself and seek 03:22:15PM

6 reimbursement at a later stage? 03:22:19PM

7 MR SOMYUREK: And that is all true, and I think the transcripts 03:22:21PM

8 that you've come back with actually indicate that. We 03:22:24PM

9 were in lockdown. Lou rocked up with rubber gloves, and 03:22:27PM

10 she looked all - you've probably got clips of that, and 03:22:31PM

11 then she looked really apprehensive about touching 03:22:34PM

12 anything. So I got it myself. I think that's all 03:22:36PM

13 accurate. And I did intend to get reimbursed for it. 03:22:39PM

14 But, as we've talked about previously, I thought the 03:22:43PM

15 Indians were going to (indistinct). So I've got 03:22:48PM

16 no - I don't have to invest in that thing. You know that 03:22:51PM

17 I've paid for the memberships. I've been honest about it. 03:22:55PM

18 But that is actually accurate. I was hoping not to pay, 03:22:58PM

19 Mr Carr. 03:23:03PM

20 MR CARR: Let's listen, if we could, to TI47, please. No, this 03:23:05PM

21 is not the correct recording, I'm sorry, Commissioner. 03:23:45PM

22 MR SOMYUREK: Anyway, what do you - if you jog my memory, it 03:23:48PM

23 should be enough. 03:23:49PM

24 MR CARR: Sorry, it's 48 we need. I do apologise, 03:23:54PM

25 Commissioner. 03:23:57PM

26 MR SOMYUREK: Mr Carr, I've admitted I paid. So I don't see 03:23:58PM

27 it's an issue now. 03:24:19PM

28 (Audio recording played to the Commission.) 03:24:21PM

29 MR SOMYUREK: Yeah, that doesn't look good. Can we go to the 03:26:39PM

1 start, though? Is that me saying and then him - Andrew 03:26:42PM
2 trying to put a better - can we go to the start of that 03:26:45PM
3 again? 03:26:48PM
4 MR CARR: Can I give you a little context. Certainly we can 03:26:49PM
5 scroll up to the start. But this is just a small snatch 03:26:54PM
6 from a lengthy conversation late at night between you and 03:27:00PM
7 Mr Landeryou, and this is where you are brainstorming what 03:27:03PM
8 story you are going to give to explain the facts that you 03:27:12PM
9 apprehend will be publicly known? 03:27:18PM
10 MR SOMYUREK: But I think the thing is I've actually said - 03:27:25PM
11 told him - I've told him something, and he said, 'Isn't it 03:27:27PM
12 that's you?' Do you know what I mean? I've obviously 03:27:32PM
13 said something on a similar vein. 03:27:35PM
14 MR CARR: You say at line 12, 'Collected money off them, yeah, 03:27:39PM
15 that's probably a better one'? 03:27:49PM
16 MR SOMYUREK: But I've never said anyone's collected the money 03:27:53PM
17 off them. 03:27:56PM
18 MR CARR: And 16, 'That's probably; that's the best one, isn't 03:27:57PM
19 it?' What you're doing, Mr Somyurek - - - 03:28:01PM
20 MR SOMYUREK: No, but I've never said they've paid. 03:28:07PM
21 MR CARR: No. No, no, but, Mr Somyurek, what you're doing is 03:28:09PM
22 you're brainstorming with Mr Landeryou, 'What's the best 03:28:12PM
23 explanation we can give? What's the best lie we can come 03:28:16PM
24 up with,' and - - - 03:28:20PM
25 MR SOMYUREK: Yeah, but I haven't said any of those things. 03:28:21PM
26 MR CARR: No, but you have, because that's the genesis of the 03:28:24PM
27 COVID story - - - 03:28:27PM
28 MR SOMYUREK: But it was - - - 03:28:30PM
29 MR CARR: In your - just listen to me for a second. The COVID 03:28:31PM

1 story that you put in your submission to IBAC - - - 03:28:35PM

2 MR SOMYUREK: No. 03:28:38PM

3 MR CARR: As the explanation for why you're handing over cash 03:28:38PM

4 to Mr McLennan? 03:28:43PM

5 MR SOMYUREK: The COVID story, it's not a story. What day is 03:28:46PM

6 this? 03:28:51PM

7 MR CARR: This is the 15th, so the day after the 03:28:53PM

8 60 Minutes - sorry, the 16th, two days after. 03:29:00PM

9 MR SOMYUREK: Right. Yeah. But I didn't say that I've - what 03:29:01PM

10 does it say? Yeah. But I didn't say they paid. So 03:29:07PM

11 that's a technical way of saying that they've paid getting 03:29:26PM

12 around the payment issue, but I've never said they paid. 03:29:28PM

13 That's critical because that's saying they've paid; okay? 03:29:31PM

14 That's a critical one. But I've never said they paid. 03:29:35PM

15 MR CARR: No, but what matters, Mr Somyurek, is that you are 03:29:39PM

16 assessing the facts that you're going to have to explain, 03:29:44PM

17 and you and Mr Landeryou are brainstorming an explanation 03:29:50PM

18 that you're going to give? 03:29:57PM

19 MR SOMYUREK: Okay. So what is really important here and what 03:29:58PM

20 would have been focusing the mind is party rules about 03:30:01PM

21 paying the membership. The rest is true. There was a 03:30:05PM

22 lockdown; right? As a minister, my focus every Monday in 03:30:11PM

23 Cabinet was on the lockdown, stay at home; okay? So 03:30:17PM

24 that's a no-brainer. That's fact; right? That's fact. 03:30:21PM

25 Look at the dates. But what is - but they paid is the key 03:30:24PM

26 one. Was trying to find - you know, obviously trying to 03:30:30PM

27 find a clever way of saying that they have actually paid. 03:30:35PM

28 I didn't go with that. I didn't say they paid; right? 03:30:37PM

29 I said I was going to collect - was meant to be collected. 03:30:40PM

1 So the key here is trying to be consistent with the party 03:30:44PM
2 rules. But I didn't go with that. 03:30:47PM
3 MR CARR: You might appreciate that others might think the key 03:30:50PM
4 here is not the party rules but the fact that you are 03:30:55PM
5 brainstorming a lie? 03:30:59PM
6 MR SOMYUREK: No. The paying is the key. So they paid, and 03:31:01PM
7 I didn't go with that they paid. I didn't go with it. 03:31:05PM
8 MR CARR: I tender that. 03:31:09PM
9 COMMISSIONER: What day is that? The 16th of? 03:31:10PM
10 MR CARR: 16 June 2020, Commissioner. 03:31:12PM
11 COMMISSIONER: 134. 03:31:16PM
12 03:31:16PM
13 #EXHIBIT 134 - TI48, conversation between Mr Somyurek and 03:31:17PM
14 Mr Landeryou on 16/06/20. 03:31:17PM
15 COMMISSIONER: Mr Somyurek, if I may say so, you've come a long 03:31:18PM
16 way since the start of your evidence. Is it not true to 03:31:24PM
17 say that for a long period of time after the 60 Minutes 03:31:33PM
18 and Age expose that you were considering presenting a 03:31:38PM
19 false picture of what really went on in your office and 03:31:49PM
20 what you were doing, and that it's only been in more 03:31:53PM
21 recent times that you have been willing to acknowledge 03:31:59PM
22 things that previously you were not prepared to do? 03:32:02PM
23 MR SOMYUREK: Yes, in terms of payment of memberships and 03:32:08PM
24 things like that, yes. And, yeah, it's liberating. 03:32:12PM
25 COMMISSIONER: Yes. 03:32:22PM
26 MR CARR: Now, Mr Somyurek, you described how you had and you 03:32:22PM
27 were obsessive and that you had lost perspective during 03:32:37PM
28 the war; yes? 03:32:41PM
29 MR SOMYUREK: Yes, I have. Yes, I did, yep. 03:32:44PM

1 MR CARR: Now, we've been talking a lot about staffers, and of 03:32:46PM
2 course that's one issue. But of course you're paid a very 03:32:58PM
3 significant salary to represent your constituents, and 03:33:03PM
4 another of the vices in this whole process was it's not 03:33:12PM
5 just the staffers who are being diverted from their public 03:33:22PM
6 duties, but you - - - 03:33:28PM
7 MR SOMYUREK: Yeah. 03:33:32PM
8 MR CARR: You're a member of parliament with immense 03:33:32PM
9 responsibilities, and you were diverted into this 03:33:36PM
10 factional activity? 03:33:44PM
11 MR SOMYUREK: Yep. 03:33:45PM
12 MR CARR: The internecine warfare that was taking place? 03:33:46PM
13 MR SOMYUREK: All true. Lost perspective. 03:33:52PM
14 MR CARR: And to the detriment of your constituents? 03:33:53PM
15 MR SOMYUREK: If it kept going, yes. It was too short a period 03:34:01PM
16 for that. But, if you keep going, yes. To the detriment 03:34:06PM
17 of everything, basically. 03:34:08PM
18 MR CARR: And, returning to the staffers, we've seen that there 03:34:12PM
19 is this long-established pathway from staffer to MP? 03:34:22PM
20 MR SOMYUREK: Yep. 03:34:30PM
21 MR CARR: You're an example of that pathway, and you've 03:34:31PM
22 nominated others - we don't need to name anyone? 03:34:34PM
23 MR SOMYUREK: Yep. No, no, no. I was atypical. I was lucky. 03:34:37PM
24 Mr Byrne admitted that he stacked and I benefited from it, 03:34:41PM
25 and I observed and benefited. So I was atypical. 03:34:44PM
26 I would - what you would describe as getting a pretty easy 03:34:47PM
27 entry in. But others have been doing it for years and 03:34:52PM
28 years, yeah. 03:34:54PM
29 MR CARR: And one consequence of staffers coming through this 03:34:55PM

1 system of branch stacking and factional patronage is that 03:35:08PM
2 the factional patronage distorts those who get an 03:35:16PM
3 opportunity to stand to be MPs, doesn't it? 03:35:19PM
4 MR SOMYUREK: Yes. 03:35:27PM
5 MR CARR: And another consequence is that the staffers who come 03:35:28PM
6 through this culture have been brought up on this same 03:35:33PM
7 mentality, this mentality that involves a misuse of 03:35:41PM
8 taxpayer resources for factional purposes? 03:35:47PM
9 MR SOMYUREK: It reproduces itself, Mr Carr. But the question 03:35:51PM
10 is how you're going to fix it. Yeah. It does reproduce 03:35:55PM
11 itself. Absolutely it does. Like me. I came in, I knew 03:35:59PM
12 nothing about it, I observed, and I was socialised into 03:36:04PM
13 it, and I continued the practice. So, you know - yeah, 03:36:09PM
14 I just think everyone needs to be honest, not just one 03:36:21PM
15 section of the party. 03:36:24PM
16 MR CARR: Mr Bracks and Ms Macklin have made that point. But 03:36:27PM
17 you also accept that there needs to be fundamental change 03:36:31PM
18 if what you did is not to be reproduced by those to come? 03:36:37PM
19 MR SOMYUREK: Yeah, absolutely. 03:36:43PM
20 MR CARR: Thank you, Commissioner. 03:36:44PM
21 COMMISSIONER: We might just take a break for five minutes, 03:36:48PM
22 Mr Somyurek, and I think we're almost at the end. 03:36:51PM
23 MR SOMYUREK: Right. Thank you. 03:36:56PM
24 COMMISSIONER: We'll take a break for five minutes. 03:36:58PM
25 (Short adjournment.) 03:37:00PM
26 COMMISSIONER: Yes, Mr Carr. Is there anything further? 04:08:29PM
27 MR CARR: Yes, Commissioner. Now, there's just one aspect of 04:08:32PM
28 the factional patronage issue that I need to cover with 04:08:39PM
29 you, Mr Somyurek. Could we do it perhaps by reference to 04:08:43PM

1 exhibit 49. Now, you'll remember these messages, 04:08:50PM
2 I suspect, from Mr Garotti's examination? 04:09:05PM
3 MR SOMYUREK: Yep. 04:09:11PM
4 MR CARR: They're between you and him in 2015? 04:09:12PM
5 MR SOMYUREK: Yep. 15, is it? Okay. Wow. Okay. 04:09:14PM
6 MR CARR: 'Hi Adem, hope you're well. Have just emailed you 04:09:20PM
7 about the VMC funding issues with SACOV that we discussed 04:09:24PM
8 on Sunday. Be great if you could look into this. Cheers, 04:09:28PM
9 Rick.' Your response - not sure about that first word, 04:09:32PM
10 perhaps a mistake - 'Robin not in parliament today.' 04:09:36PM
11 Robin is Robin Scott? 04:09:39PM
12 MR SOMYUREK: Yes, I think I've said, 'Tell Robin.' 04:09:42PM
13 MR CARR: I'm not sure - - - 04:09:46PM
14 MR SOMYUREK: No, because there's a hyphen there. I'm not 04:09:47PM
15 sure. You're right. 04:09:49PM
16 MR CARR: Your response is, 'Robin not in parliament today.' 04:09:50PM
17 Robin is the person - Robin Scott, that is - is the person 04:09:53PM
18 responsible for VMC funding grants. 04:09:57PM
19 MR SOMYUREK: Yep. 04:10:00PM
20 MR CARR: He says, 'Okay, no worries.' Comes back to you, 'Any 04:10:00PM
21 luck with Robin yet?' You say, 'He has not been in 04:10:08PM
22 parliament. He will be today. Will speak to him today.' 04:10:13PM
23 Is that an example of this factional patronage? 04:10:17PM
24 MR SOMYUREK: Look, I think - I don't want to refer to New 04:10:24PM
25 South Wales ICAC, but they described a certain gentleman 04:10:27PM
26 there. I think Rick's probably got carried away with 04:10:32PM
27 advocating for these people. Look, no, because I dislike 04:10:35PM
28 immensely - I'm very clear on this. When I started in 04:10:41PM
29 Holt, when I talked about the toxic culture in Holt, the 04:10:46PM

1 government largesse, council largesse, buying off members 04:10:50PM
2 in the Labor Party through largesse, okay, I think it's 04:10:54PM
3 incompatible to have - that's not - if we go down that 04:10:59PM
4 path you're in trouble. You're basically buying members 04:11:04PM
5 in the Labor Party. No. Robin would not be a part of 04:11:07PM
6 that. I would not be a part of that. That goes beyond 04:11:10PM
7 patronage. That goes to misappropriating funds, if you're 04:11:15PM
8 going to get grants up based on supporting the Labor 04:11:19PM
9 Party. That's a red line. 04:11:23PM
10 COMMISSIONER: This isn't about supporting the Labor Party. 04:11:25PM
11 This is Mr Garotti seeking to have you exercise some 04:11:28PM
12 influence to secure - - - 04:11:35PM
13 MR SOMYUREK: Yeah. 04:11:38PM
14 COMMISSIONER: To secure a loan for an organisation in which 04:11:38PM
15 one of the principal players is a factional operative? 04:11:41PM
16 MR SOMYUREK: I'm not having a go at Mr Garotti, and he would 04:11:46PM
17 think that they qualify on merit. I'm saying that - let's 04:11:48PM
18 take Mr Garotti out of it. Let's take Mr Garotti out of 04:11:53PM
19 it, because you're talking about a concept, the notion of 04:11:56PM
20 patronage network, aren't you, patronage, Mr Carr? I'm 04:11:58PM
21 saying that if associations, community associations, do 04:12:03PM
22 not fulfil the criteria, the objective criteria, and they 04:12:09PM
23 get an unfair advantage, that is beyond patronage. That's 04:12:13PM
24 something else. That's my view. 04:12:22PM
25 MR CARR: Now, you've said that crosses a red line. Your 04:12:25PM
26 response to Mr Garotti was not, 'Hey, hold on, what are 04:12:31PM
27 you talking about? I'm not getting involved in crossing 04:12:35PM
28 that red line.' Your response is, 'He's not been in 04:12:38PM
29 parliament. He will be today and will speak to him 04:12:43PM

1 today'?' 04:12:45PM

2 MR SOMYUREK: Yeah, that's fine. You can speak to things, you 04:12:46PM

3 can speak to people, you can find out where the 04:12:48PM

4 application's up to. This - from Day 1 you know what 04:12:50PM

5 politicians do? They are lobbied. From Day 1 your 04:12:54PM

6 electoral office is all about being lobbied, your 04:12:58PM

7 electorate office - constituents come in. They say, 04:13:01PM

8 'Look, I've got a Housing Commission issue. I've applied 04:13:04PM

9 for a Housing Commission house five years ago,' and what 04:13:07PM

10 you say is, 'Okay, let me go and have a check. You might 04:13:10PM

11 speak to the Housing Commission people and say, 'How is 04:13:13PM

12 this application progressing?' Okay, they say, 'Well, you 04:13:15PM

13 know, you understand there's a 10-year wait. They are 04:13:18PM

14 halfway through their wait.' Do you know what I mean? 04:13:21PM

15 You can enquire. But putting pressure on decision makers, 04:13:24PM

16 right, with people who do have coercive influence, such as 04:13:29PM

17 ministers, that crosses that line. What we do - politics 04:13:33PM

18 is all about being lobbied. You've got to know to say, 04:13:37PM

19 'Okay, no problem, I'll have a look at that. ' But once 04:13:40PM

20 you get decision makers to - when decision makers exert 04:13:43PM

21 influence and demand that applications are - which don't 04:13:48PM

22 fit the independent criteria are approved, that's 04:13:55PM

23 when - you know, that's when there's trouble. But about 04:13:59PM

24 getting lobbied, all politicians, ministers, you can't go 04:14:02PM

25 to a function without being lobbied; all right? But the 04:14:07PM

26 key is what you do with that. The key is what you do with 04:14:11PM

27 that. 04:14:13PM

28 COMMISSIONER: Well, we've enough to cover in this current 04:14:14PM

29 investigation without traversing the role and the issues 04:14:17PM

1 of lobbying, which this Commission is addressing in 04:14:22PM
2 Operation Sandon, which has concluded its public hearings. 04:14:27PM
3 But, Mr Somyurek, what's clear from Mr Garotti's text to 04:14:34PM
4 you is you've had a conversation with him on the Sunday 04:14:40PM
5 before? 04:14:44PM
6 MR SOMYUREK: Yeah. 04:14:45PM
7 COMMISSIONER: And you've obviously left him with the 04:14:45PM
8 impression that you would be prepared to speak to someone 04:14:47PM
9 else about this? 04:14:53PM
10 MR SOMYUREK: And that's fine. But that's not a decision 04:14:56PM
11 maker. I'm not a decision maker. I've got as much 04:14:59PM
12 influence as - - - 04:15:01PM
13 COMMISSIONER: No, you would be - in this context you would be 04:15:02PM
14 a lobbyist? 04:15:05PM
15 MR SOMYUREK: I can say this is what Garotti - I mean, what was 04:15:06PM
16 that example you - is this the same one where he told me 04:15:09PM
17 that council were supporting it and then another group 04:15:11PM
18 was - is that the same one? 04:15:15PM
19 MR CARR: No, no, we're going to that one in a minute. 04:15:17PM
20 MR SOMYUREK: Yeah. Yeah. 04:15:20PM
21 COMMISSIONER: So, in any event, did you ever speak to Mr Scott 04:15:21PM
22 about this? 04:15:24PM
23 MR SOMYUREK: It's - judging by my text messages, I was 04:15:28PM
24 flogging him off. You would have interviewed Mr Scott. 04:15:31PM
25 He would have told you whether I spoken to him or not. 04:15:34PM
26 COMMISSIONER: I'm just asking for your memory. 04:15:37PM
27 MR SOMYUREK: I have no recollection. 04:15:38PM
28 COMMISSIONER: All right. 04:15:40PM
29 MR SOMYUREK: Yeah, I have no recollection. 04:15:40PM

1 COMMISSIONER: Yes. 04:15:43PM
2 MR CARR: Let's look at exhibit 58 then, please, Commissioner. 04:15:43PM
3 I'm sorry, I tender those messages, Commissioner. 04:15:51PM
4 COMMISSIONER: Yes, that will be 135. 04:15:54PM
5 04:15:56PM
6 #EXHIBIT 135 - Text messages between Mr Somyurek and Mr Garotti 04:15:57PM
7 in 2015. 04:16:01PM
8 MR CARR: So you've indicated some recollection of this couple 04:16:01PM
9 of messages, but let's refresh your memory. The first 04:16:04PM
10 message, Mr Garotti is 'giving you a recap on the key 04:16:16PM
11 details of our discussion'. So he's reporting, reminding 04:16:20PM
12 you about things you've already discussed. 'The Himilo 04:16:23PM
13 Project is to be extended with another million dollars in 04:16:28PM
14 funding'? 04:16:30PM
15 COMMISSIONER: Are you looking at the same document I am, 04:16:35PM
16 Mr Carr? 04:16:38PM
17 MR SOMYUREK: This is a different document. This is about 04:16:40PM
18 Jasvinder Sidhu. This one's about Jasvinder, this one is, 04:16:42PM
19 Mr Carr. 04:16:49PM
20 MR CARR: I'm sorry, Commissioner. We've got the wrong 04:16:49PM
21 exhibit. Exhibit 58 in the brief, if we could, please. 04:16:54PM
22 I'm sorry. While we're searching for the right exhibit 04:16:57PM
23 can I give you a bit of information to assist your 04:17:09PM
24 recollection. In late 2017 the messages from Mr Garotti 04:17:17PM
25 to you - there we are. Thank you, Commissioner. 04:17:29PM
26 (To witness) Now, can you read the right-hand side column? 04:17:36PM
27 MR SOMYUREK: Yeah, yeah, yeah. 04:17:42PM
28 MR CARR: All right. So, 'Thanks for our chat. Here's a recap 04:17:43PM
29 on the key details of our discussion'? 04:17:50PM

1 MR SOMYUREK: Yeah. 04:17:53PM

2 MR CARR: So he's reminding you about things you've already 04:17:53PM

3 discussed: 'The Himilo Project another \$1 million in 04:17:56PM

4 funding'; 2, 'The funding currently goes to e-focus which 04:18:00PM

5 has been working with SACOV'; 3, 'If e-focus receives the 04:18:05PM

6 growth funding they will set up another Somali group in 04:18:10PM

7 competition to SACOV'? 04:18:14PM

8 MR SOMYUREK: Yep. 04:18:16PM

9 MR CARR: Now, you remember - - - 04:18:16PM

10 MR SOMYUREK: That would have got my back up if the Left are 04:18:18PM

11 playing factional games with community grants, and that 04:18:23PM

12 one I could have said, 'What's going on? How come' - you 04:18:28PM

13 know, 'What's going on? Why's the Left playing factional 04:18:31PM

14 games with community grants?' I could have asked that 04:18:35PM

15 question. I don't recall doing it, though. 04:18:38PM

16 MR CARR: If you can just read over 3 and 4, and then let's 04:18:39PM

17 look at 5: 'The new funding must go directly to SACOV. 04:18:46PM

18 That's what Dr Hussein wants. That's what I want and is 04:18:50PM

19 also the formal position of Banyule City Council.' Now, 04:18:53PM

20 just starting with what Dr Hussein wants, why would what 04:18:59PM

21 Dr Hussein wants be in any way relevant to how government 04:19:07PM

22 funding is directed? 04:19:12PM

23 MR SOMYUREK: Yeah. I would say it's not. 04:19:14PM

24 MR CARR: The same in respect of what Mr Garotti wants? 04:19:19PM

25 MR SOMYUREK: Well, it's not. It's got to be based on 04:19:23PM

26 subjective criteria. It's merit based. Like, it's - this 04:19:26PM

27 is merit based. 04:19:29PM

28 MR CARR: And we know from Mr Garotti's evidence that he was 04:19:30PM

29 lying when he said that it's the formal position of 04:19:34PM

1 Banyule City Council? 04:19:37PM
2 MR SOMYUREK: Yeah. 04:19:39PM
3 MR CARR: And he says, 'I've spoken to Mohamed about this.' 04:19:41PM
4 Now, do you remember Mr Garotti gave evidence that Mohamed 04:19:48PM
5 was a ministerial adviser? 04:19:51PM
6 MR SOMYUREK: Yep, for Mr Scott. 04:19:53PM
7 MR CARR: And he asks you to follow up with Mr Scott? 04:19:59PM
8 MR SOMYUREK: I have no recollection. The only thing in that 04:20:05PM
9 that might have got my, you know, curiosity up is that if 04:20:09PM
10 the Left were playing factional games with community 04:20:13PM
11 grants, because we tend not to do that and I would've - 04:20:16PM
12 no, not I would have. That's the only thing that would 04:20:18PM
13 have really sort of raised my - that could have got me 04:20:22PM
14 interested in what's going on, but I can't recall this at 04:20:26PM
15 all. 04:20:29PM
16 COMMISSIONER: What would you have done if you - - - 04:20:30PM
17 MR SOMYUREK: I would have said to Robin, 'Is there any 04:20:32PM
18 funny' - 'What have the Left done? Are the Left mucking 04:20:34PM
19 around with community grants? What's going on?' 04:20:37PM
20 COMMISSIONER: Yes. 04:20:37PM
21 MR SOMYUREK: That's what I would've done. Robin Scott is not 04:20:39PM
22 the type of guy who is going to get pushed around. 04:20:41PM
23 I might be a bit more robust than him, but, I tell you 04:20:44PM
24 what, he's very, very tough. He's quietly spoken but very 04:20:48PM
25 sure of himself. 04:20:51PM
26 COMMISSIONER: Mr Somyurek, this text message occurs in the 04:20:52PM
27 same way as the previous one you were shown, that it's a 04:20:55PM
28 follow-up to a conversation that you've had with 04:20:59PM
29 Mr Garotti. You see he commences with, 'Thanks for our 04:21:02PM

1 chat, and here's a recap on the details of our 04:21:07PM
2 discussion.' So it appears, if he's accurately setting 04:21:12PM
3 out the details of the discussion, the various things that 04:21:16PM
4 he has set out were the subject of your previous 04:21:20PM
5 conversation? 04:21:23PM
6 MR SOMYUREK: Commissioner, I've just got no recollection. The 04:21:27PM
7 main thing is what have I done with it. 04:21:30PM
8 COMMISSIONER: Well, whether you have or you haven't done 04:21:34PM
9 anything with it, you would have clearly enough understood 04:21:36PM
10 Mr Garotti is having a discussion with you about a grant 04:21:41PM
11 to SACOV, you knowing that Mr Hussein, who's a primary 04:21:46PM
12 player in SACOV - - - 04:21:54PM
13 MR SOMYUREK: Yep. 04:21:56PM
14 COMMISSIONER: Is a factional operative. I'm not sure if he's 04:21:56PM
15 in your office at this point of time - - - 04:21:59PM
16 MR SOMYUREK: I don't know. 04:22:01PM
17 MR CARR: But he's a factional operative of yours? 04:22:01PM
18 MR SOMYUREK: Of - yeah, well - - - 04:22:05PM
19 COMMISSIONER: Wouldn't you have had to say to both Mr Garotti 04:22:06PM
20 and, if Mr Scott was involved, wouldn't you have to say to 04:22:11PM
21 both of them, 'Listen, we can't have anything to do with a 04:22:18PM
22 grant like this because we have an intimate relationship 04:22:23PM
23 with - - - 04:22:28PM
24 MR SOMYUREK: Okay, conflict of interest. Okay. 04:22:29PM
25 COMMISSIONER: Correct. 04:22:29PM
26 MR SOMYUREK: Yeah, yeah, okay, so you're going to conflict of 04:22:32PM
27 interest. Okay. I see what you're saying. 04:22:34PM
28 COMMISSIONER: Well, did you do that? 04:22:36PM
29 MR SOMYUREK: No, I didn't think of the conflict of interest. 04:22:37PM

1 But it would have just been, 'Yeah, whatever' - no, 04:22:39PM
2 I didn't. I didn't think of the conflict of interest 04:22:42PM
3 angle. I just thought about the merit of the grants 04:22:45PM
4 getting up ultimately and interfering with that process. 04:22:47PM
5 That's where my mind's at. 04:22:50PM
6 MR CARR: You have indicated already an appreciation of the 04:22:53PM
7 inappropriateness of interfering with the process? 04:22:58PM
8 MR SOMYUREK: That's right. 04:23:01PM
9 MR CARR: All right. Well, let's read the next message - - - 04:23:01PM
10 MR SOMYUREK: No, no, hang on, I can say - like I said, I can 04:23:03PM
11 say to - look, remember what I said, remember what I said. 04:23:06PM
12 This is what you do in your electorate office all the time 04:23:08PM
13 from Day 1 as an MP. People come in, and it might be 04:23:12PM
14 migration, it might be whatever. I'll just check, and 04:23:15PM
15 you'll write a letter or you telephone up. There's 04:23:17PM
16 department liaison officers, parliamentary liaison 04:23:20PM
17 officers. It might be an immigration query. They'll say, 04:23:21PM
18 'Okay, yes, I saw that application. That's been in the 04:23:24PM
19 system for eight months,' you know, 'last time their 04:23:27PM
20 paperwork was requested was two months ago. I see they've 04:23:30PM
21 done this.' Do you see what I'm saying? And then you go 04:23:33PM
22 back. You don't say, 'Fix this up.' You just give back 04:23:35PM
23 information. So that's what MPs do. 04:23:38PM
24 MR CARR: You're drawing a distinction between asking for 04:23:41PM
25 information - - - 04:23:44PM
26 MR SOMYUREK: That's right, yep. 04:23:45PM
27 MR CARR: Which should be publicly available to the applicant? 04:23:46PM
28 MR SOMYUREK: Yep. 04:23:50PM
29 MR CARR: And interfering with the process of what happens? 04:23:50PM

1 MR SOMYUREK: Exactly. That's a very key distinction, because 04:23:53PM
2 if MPs just say to constituents, 'Look, we can't do 04:23:55PM
3 anything about that, I'm sorry, you're just going to have 04:24:00PM
4 to wait your turn,' MPs don't do that. They write 04:24:02PM
5 letters, they make telephone calls. But, you know, they 04:24:05PM
6 show that they're actually trying for constituents, do you 04:24:10PM
7 see what I'm saying? Yeah. 04:24:13PM
8 MR CARR: Let's read the next message, because you're on the 04:24:14PM
9 wrong side of that line, your faction, in the next 04:24:17PM
10 message. 04:24:19PM
11 MR SOMYUREK: Okay. 04:24:20PM
12 MR CARR: Now, this is a message that's forwarded to you by 04:24:21PM
13 Mr Garotti, and it's directed to Mohamed, Mr Scott's 04:24:24PM
14 ministerial adviser. So he's forwarding to you to inform 04:24:29PM
15 you about what's happened between him and Mohamed. 04:24:33PM
16 'Here's a recap on the agreed actions.' So Mr Garotti and 04:24:40PM
17 Mohamed have agreed on these actions. '1. Mohamed, 04:24:44PM
18 Dr Hussein and Rick to catch up when Dr Hussein is back in 04:24:50PM
19 Australia - mid-December. 2. Mohamed to advise on when 04:24:54PM
20 capacity building funding round opens. Dr Hussein to put 04:24:58PM
21 in an application for SACOV (50 to 100k available per 04:25:02PM
22 annum). 3. Mohamed to ensure that any decision regarding 04:25:08PM
23 growth funding for the Himilo Project is held off until 04:25:14PM
24 Dr Hussein returns. 4. In the interim Mohamed to explore 04:25:18PM
25 other options for allocating the Himilo growth funding 04:25:24PM
26 such as allocating it to councils or other respected peak 04:25:28PM
27 bodies (i.e. not e-focus).' Now, numbers 3 and 4 are 04:25:32PM
28 unequivocally on the wrong side of the line that you've 04:25:42PM
29 just drawn, and Mr Garotti - - - 04:25:45PM

1 MR SOMYUREK: Yep, it is. 04:25:49PM
2 MR CARR: And Mr Garotti's telling you that this is what he's 04:25:50PM
3 arranged with Robin Scott's adviser? 04:25:55PM
4 MR SOMYUREK: Yep. But I've got no - I've got no - yeah, 04:26:04PM
5 I would trust Robin to be able to deal with this. Robin's 04:26:08PM
6 no push-over. Robin's not going to - you know, Robin's 04:26:12PM
7 not going to be rolled over by anyone. 04:26:17PM
8 MR CARR: Robin Scott - an adviser in his office who has agreed 04:26:20PM
9 to ensure that actions that suit SACOV - - - 04:26:27PM
10 MR SOMYUREK: Yep. 04:26:35PM
11 MR CARR: Mr Scott's factional ally, are going to be taken? 04:26:35PM
12 MR SOMYUREK: Yes, everything about this message is wrong. 04:26:46PM
13 Everything about it. It goes - it looks like it's 04:26:49PM
14 going - you know, it's too assertive. It's dictating. 04:26:52PM
15 So - - - 04:26:56PM
16 MR CARR: It's not dictating. It's reporting on an agreement 04:26:56PM
17 to corrupt the process that has been reached between 04:26:59PM
18 Mr Scott's office and Mr Garotti? 04:27:04PM
19 MR SOMYUREK: Yep. 04:27:08PM
20 MR CARR: And it's informing you about that agreement to 04:27:09PM
21 corrupt the process that has been reached. What did you 04:27:12PM
22 do? 04:27:17PM
23 MR SOMYUREK: I'm not sure how much attention I paid. 04:27:19PM
24 MR CARR: Well, do you read your text messages? 04:27:25PM
25 MR SOMYUREK: A long one like this I might not. 04:27:30PM
26 MR CARR: We've seen you replying to some long text messages, 04:27:33PM
27 Mr Somyurek? 04:27:36PM
28 MR SOMYUREK: Yeah. 04:27:38PM
29 MR CARR: And Mr Garotti was a senior person within the 04:27:38PM

1 faction? 04:27:42PM

2 MR SOMYUREK: Look, I would have thought it's within Robin 04:27:46PM

3 Scott's domain and he will be able to resolve whatever 04:27:49PM

4 he's on about. 04:27:51PM

5 MR CARR: But, hold on, you're a minister - - - 04:27:54PM

6 MR SOMYUREK: Yeah, but it's not my portfolio. 04:27:58PM

7 MR CARR: No, no, but - - - 04:28:00PM

8 MR SOMYUREK: At that point I'm not a minister, actually. I'm 04:28:02PM

9 not a minister at that point. 04:28:04PM

10 MR CARR: My apologies. You're an MP? 04:28:06PM

11 MR SOMYUREK: Yeah. 04:28:08PM

12 MR CARR: And what's being reported to you by Mr Garotti is 04:28:08PM

13 that he and Mr Scott's ministerial adviser have agreed to 04:28:11PM

14 corrupt the process. Surely that warranted some sort of 04:28:16PM

15 response from you? 04:28:21PM

16 MR SOMYUREK: Look, I mean, I see that as Robin's purview, and 04:28:24PM

17 I would have left it up to Mr Scott. I actually don't 04:28:34PM

18 know how much I actually focused on that, I doubt whether 04:28:36PM

19 much at all, because he was in direct contact with Robin's 04:28:39PM

20 office. 04:28:42PM

21 COMMISSIONER: But, Mr Somyurek, we're not dealing with some 04:28:42PM

22 minister here that's removed from your factional 04:28:47PM

23 operation. 04:28:50PM

24 MR SOMYUREK: Yeah. 04:28:50PM

25 COMMISSIONER: Mr Scott is one of the beneficiaries of your 04:28:51PM

26 factional operation, is he not? 04:28:54PM

27 MR SOMYUREK: Yep. 04:28:57PM

28 COMMISSIONER: Was Mr Scott aware of the role that Mr Haraco 04:29:00PM

29 played in the factional operations? 04:29:04PM

1 MR SOMYUREK: I would say he would - of course he was. 04:29:06PM
2 COMMISSIONER: Yes. 04:29:09PM
3 MR SOMYUREK: But the important thing is how Mr Scott dealt 04:29:09PM
4 with it. 04:29:11PM
5 COMMISSIONER: Well, he shouldn't have dealt with it at all, 04:29:14PM
6 should he - - - 04:29:17PM
7 MR SOMYUREK: I know what you're saying, I know what you're 04:29:17PM
8 saying. You're saying - - - 04:29:19PM
9 COMMISSIONER: Mr Somyurek, neither you nor Mr Scott should 04:29:20PM
10 have had anything to do with any such grant because you 04:29:23PM
11 were both conflicted? 04:29:27PM
12 MR SOMYUREK: Okay. So it's conflict of interest you're 04:29:28PM
13 saying. Okay. I see what you're saying. So it's 04:29:30PM
14 conflict of interest rather than - our - what politicians 04:29:33PM
15 tend to do is, okay, listen to the person that's lobbying 04:29:37PM
16 you because you get - or advocating for you, and you tend 04:29:42PM
17 to write a letter of support, whatever. You go along with 04:29:46PM
18 it. You think if it fits the merit, it does, the 04:29:49PM
19 bureaucracy will decide - the decision makers will decide 04:29:53PM
20 at the end of the day. But we tend not to think about 'do 04:29:55PM
21 I lobby on this because I'm conflicted, because it's my 04:30:01PM
22 faction'. So what happens to an SL member, which is half 04:30:06PM
23 the party, does that mean that SL MPs - - - 04:30:09PM
24 COMMISSIONER: Would you mind if we don't engage in 04:30:16PM
25 hypotheticals, Mr Somyurek. 04:30:18PM
26 MR SOMYUREK: I'm just saying what if it's a really big faction 04:30:20PM
27 and then the conflict of interest then means that there's 04:30:23PM
28 a small group of people that you can lobby on behalf of. 04:30:28PM
29 Okay. 04:30:31PM

1 MR CARR: At least one thing that we can take from this 04:30:34PM
2 message, if we assume that you as the convenor of the 04:30:41PM
3 faction read messages from Mr Garotti, a senior member of 04:30:44PM
4 the faction, is that you were not terribly troubled by the 04:30:48PM
5 corruption of the grant process that he's reported to you? 04:30:57PM
6 MR SOMYUREK: No, because I had faith in Mr Scott not to 04:31:06PM
7 be - he wouldn't have been influenced by factional 04:31:10PM
8 politics at all. But there is a - okay, you're saying 04:31:12PM
9 there's a conflict. I can see it. I know what you're 04:31:17PM
10 saying. But we were looking more - I guess, like I said 04:31:20PM
11 to you, we would concentrate more on not influencing 04:31:23PM
12 decision makers. 04:31:28PM
13 MR CARR: No, but that's precisely what Mohamed's doing; 04:31:29PM
14 Mohamed's ensuring that the outcome is the outcome that 04:31:33PM
15 SACOV seeks? 04:31:39PM
16 COMMISSIONER: The difficulty, Mr Somyurek, is it's not merely 04:31:43PM
17 that there was an existing conflict, but if Mr Haraco 04:31:46PM
18 continued to work as an important factional operative 04:31:55PM
19 after such a grant was made then you would readily see how 04:32:01PM
20 a suspicion or perception could arise that he's returning 04:32:07PM
21 favour? 04:32:12PM
22 MR SOMYUREK: Yep. Yep, I don't like that model. I don't 04:32:13PM
23 like - the Cambodians and lighthouse foundation seems to 04:32:23PM
24 have done it well. I'm not sure SACOV has done it well, 04:32:27PM
25 given the evidence last time. But I think it's fraught. 04:32:31PM
26 I don't like it, yeah. 04:32:34PM
27 MR CARR: I tender that, Commissioner. 04:32:36PM
28 COMMISSIONER: Yes. That will be 136. 04:32:37PM
29 04:32:40PM

1 #EXHIBIT 136 - Test message between Mr Garotti and Mr Somyurek. 04:32:40PM
2 MR CARR: Can we then look at the transcript of TI10. You've 04:32:41PM
3 already listened to this. I just want to remind you by 04:32:50PM
4 taking you to the transcript. You remember that I took 04:32:54PM
5 you to the series of text messages between you and 04:32:59PM
6 Ms Kairouz in which there's discussion of Hamdi Koyu? 04:33:03PM
7 MR SOMYUREK: Oh, yeah. 04:33:09PM
8 MR CARR: 'Hamdi's a problem'? 04:33:10PM
9 MR SOMYUREK: Yeah, yeah, yeah. 04:33:12PM
10 MR CARR: Just look at the bottom of p2 and the top of p3 from 04:33:12PM
11 about line 38, where Ms Kairouz starts speaking. She's 04:33:16PM
12 recording, 'Hamdi, he goes, I know, but what do I do. Is 04:33:25PM
13 there anything? She goes look is there anything that I'm 04:33:32PM
14 not aware of. I go no. She goes, because the way he was, 04:33:35PM
15 Marlene' - sorry, this is reporting Ms Vaghela's reportage 04:33:39PM
16 to Ms Kairouz, and just coming to line 42, 'It's going to 04:33:46PM
17 now be affected, they're all going to talk about me' - 04:34:03PM
18 this is Hamdi Koyu's complaint - 'What are they going to 04:34:08PM
19 say about me, I don't deserve this,' and then Ms Kairouz 04:34:12PM
20 says, 'I said, well, why doesn't he hand back the 400 04:34:16PM
21 grand then'? 04:34:22PM
22 MR SOMYUREK: Yeah. 04:34:23PM
23 MR CARR: '400 grand' is a reference to a grant that had been 04:34:24PM
24 provided to the Australia Light Foundation that Mr Koyu 04:34:32PM
25 was associated with; yes? 04:34:37PM
26 MR SOMYUREK: Yes. I saw this yesterday, but I didn't look at 04:34:41PM
27 it in this context. Now I understand the context in which 04:34:43PM
28 you're looking at it. I think she basically means - this 04:34:46PM
29 is the context in which I assessed this yesterday, is, 04:34:49PM

1 'Look, mate, we're probably' - 'The 60 Minutes crew are 04:34:54PM
2 probably coming after us because they see big money 04:34:57PM
3 associated with your association. So stop' - 'So you're 04:35:00PM
4 more at fault than us' - do you know what I mean - 'Stop 04:35:04PM
5 complaining,' I think is what she's meaning. 04:35:07PM
6 COMMISSIONER: Mr Somyurek, you understood, when she said this, 04:35:10PM
7 this is a reference to a grant that had been made to 04:35:15PM
8 the Australia Light Foundation? 04:35:22PM
9 MR SOMYUREK: Yeah - - - 04:35:23PM
10 COMMISSIONER: And you understood again, as in a similar vein 04:35:25PM
11 to SACOV, that persons directly associated with that 04:35:28PM
12 foundation were also factional operatives? 04:35:32PM
13 MR SOMYUREK: Yeah. 04:35:35PM
14 COMMISSIONER: The same problem that arose, isn't it? 04:35:38PM
15 MR SOMYUREK: Yes. One word - one sentence that's sort of not 04:35:41PM
16 articulated properly is really bad. It's like, 'We've 04:35:46PM
17 given you 400,000. Give it back'; and I don't think she 04:35:50PM
18 meant that. 04:35:54PM
19 MR CARR: We can just go down and just remind you about what 04:35:58PM
20 she says from line 59: 'That's the story, yeah. They got 04:36:01PM
21 money. Oh, you know, what did he say to her? He said to 04:36:08PM
22 her um, you know. We had no attention before and now 04:36:12PM
23 we've got attention. Because of what, because he's part 04:36:16PM
24 of our group, he doesn't have to be part of our group, and 04:36:18PM
25 they don't have to have all of those jobs.' Now, there 04:36:21PM
26 seems to be a theme that links the two things, doesn't 04:36:33PM
27 there: 'They don't have to have all the jobs that they get 04:36:36PM
28 as part of our group,' and, 'Why doesn't he hand back the 04:36:39PM
29 400 grand that he got from the government'? 04:36:42PM

1 MR SOMYUREK: Yeah, we've gone through the jobs yesterday and, 04:36:45PM
2 yeah, the \$400,000 he did not - you guys would know more 04:36:55PM
3 than me how they got the money because you've actually 04:36:58PM
4 been in there. I assume they got the money like they 04:37:01PM
5 always do: on merit. I don't know anything about them, 04:37:04PM
6 so - I assume that Robin Scott's not appearing before me 04:37:08PM
7 or after me, that you've tested it and found that it's - 04:37:15PM
8 the application is made on merit. But I can understand 04:37:18PM
9 about the perception. If you're trying to make that 04:37:21PM
10 point, it's clear, yes, absolutely it is. That's why 04:37:24PM
11 I wouldn't allow anyone from my office to set up an 04:37:27PM
12 organisation. If Haraco had come into my office, I met 04:37:30PM
13 him before he set up SACOV, I would have said, 'No, you 04:37:36PM
14 can't do it under my office.' Yeah. So - - - 04:37:39PM
15 COMMISSIONER: Can I just be clear, Mr Somyurek, you say you 04:37:46PM
16 didn't know at the time Ms Kairouz's - - - 04:37:49PM
17 MR SOMYUREK: I - - - 04:37:53PM
18 COMMISSIONER: Just bear with me. At the time Ms Kairouz's 04:37:53PM
19 office made this loan, or the department, you were not 04:37:58PM
20 aware of that? 04:38:02PM
21 MR SOMYUREK: Oh, sorry, about - oh, Ms Kairouz's grant? That 04:38:04PM
22 400 - so you're talking about SACOV - the money they got 04:38:05PM
23 for that gambling - is it a gambling - - - 04:38:08PM
24 COMMISSIONER: I'm sorry, I might be mistaken. The \$400,000 is 04:38:11PM
25 a grant to? 04:38:16PM
26 MR SOMYUREK: The Light Foundation. 04:38:17PM
27 COMMISSIONER: Correct. And what minister was responsible for 04:38:18PM
28 that grant? 04:38:23PM
29 MR SOMYUREK: Mr Carr, is it a figure Marlene has just plucked 04:38:26PM

1 out, Ms Kairouz has plucked out, or is it actually - - - 04:38:28PM
2 MR CARR: No, it's a grant. 04:38:34PM
3 MR SOMYUREK: It is a grant; okay. So it would be - Mr Scott, 04:38:35PM
4 is it? 04:38:37PM
5 MR CARR: I can't remember off the top of my head, I must 04:38:38PM
6 confess. 04:38:40PM
7 MR SOMYUREK: Right. 04:38:40PM
8 COMMISSIONER: I understand that Ms Kairouz's office was 04:38:41PM
9 responsible for one of these grants? 04:38:45PM
10 MR SOMYUREK: Not this one. 04:38:49PM
11 COMMISSIONER: All right. Thank you. 04:38:50PM
12 MR CARR: That exhibit has already been tendered, Commissioner. 04:38:56PM
13 COMMISSIONER: What exhibit number was it, Mr - - - 04:38:59PM
14 MR CARR: Exhibit 99. 04:39:02PM
15 COMMISSIONER: Thank you very much. 04:39:03PM
16 MR SOMYUREK: I'll tell you, Commissioner - I can make another 04:39:04PM
17 point on that. This is a pet hate of mine because when 04:39:13PM
18 I was introduced to factional politics in the 1990s in 04:39:17PM
19 Holt preselection the - you know, the various operators 04:39:20PM
20 around there were actually trading on government grants, 04:39:26PM
21 and my experience is this. Even if - if someone recruits 04:39:31PM
22 from an association - it could be a mosque, it could be a 04:39:38PM
23 church, it could be a temple - they manage to get them, 04:39:41PM
24 let's say, a million dollars in grants; right? You're in 04:39:45PM
25 an arm s race, because let's say they recruit 200 people 04:39:48PM
26 from an association or, you know, whatever it is, a 04:39:52PM
27 community group, give them money. Someone else will rock 04:39:55PM
28 up and say, 'Is that all you're getting, a million 04:39:59PM
29 dollars? Everyone else is getting \$2 million. Come this 04:40:02PM

1 way'; all right? You know what I mean? It's not 04:40:05PM
2 sustainable - until someone ends up in gaol. You just 04:40:08PM
3 can't sustain that. That's the problem when people who 04:40:11PM
4 are inexperienced think they can just go to a community 04:40:13PM
5 group, recruit based on grants: they're going to lose them 04:40:16PM
6 because other people will offer them more, and someone 04:40:21PM
7 will end up in gaol. That's my philosophy on this, and 04:40:25PM
8 I learnt this very early on, I was lucky, because I've 04:40:29PM
9 seen it happen in Holt. 04:40:32PM
10 MR CARR: Commissioner, I've also been asked if I could briefly 04:40:37PM
11 deal with exhibit 50. So I wonder if we could have 04:40:43PM
12 exhibit 50 brought up. That will just take a moment. 04:40:47PM
13 I'll give you some context while we're waiting for it to 04:40:55PM
14 come up. There's a person whose name is entered into your 04:40:58PM
15 phone as Anil Laz, L-a-z? 04:41:04PM
16 MR SOMYUREK: Yep. 04:41:09PM
17 MR CARR: You know who that is. And someone by the name of 04:41:09PM
18 Vasan, V-a-s-a-n? 04:41:16PM
19 MR SOMYUREK: Oh, yeah, okay, yep. 04:41:19PM
20 MR CARR: Had joined the Labor Party through Manoj Kumar and 04:41:20PM
21 Kaushaliya? 04:41:27PM
22 MR SOMYUREK: Is that true? I think this guy's a Liberal. 04:41:27PM
23 I think he's a former Liberal candidate. 04:41:31PM
24 MR CARR: Just have a - - - 04:41:37PM
25 MR SOMYUREK: Oh, okay. When is this? 16. 04:41:41PM
26 MR CARR: So the first couple are just introducing the relevant 04:41:47PM
27 people. So Anil sends you a message from Vasan, Vasan has 04:41:52PM
28 joined the party through Manoj and Kaushaliya in 2016, so 04:42:02PM
29 back when they were on the other side of the fence; yep? 04:42:05PM

1 And we go down to box 3, there's a request to meet for 04:42:11PM
2 coffee, a reminder about Vasana, because this is a couple 04:42:21PM
3 of years down the track from when you were first 04:42:27PM
4 introduced to them? 04:42:29PM
5 MR SOMYUREK: Right. 04:42:32PM
6 MR CARR: So the first message is in 2016. Then the messages 04:42:32PM
7 after that are in 2018. And there's some messages back 04:42:38PM
8 and forth. If we can go to box 9, from Anil to you, 'He's 04:42:44PM
9 always got some community project on the go', 'Doesn't get 04:42:54PM
10 much help. Definitely has guy's ear.' You say, 'I'm 04:43:01PM
11 meeting him on Friday.' That's meeting Vasana; yes? 04:43:07PM
12 MR SOMYUREK: Right. 04:43:11PM
13 MR CARR: You get a message on - box 14, you'll see you get a 04:43:12PM
14 message, 'Thank you very much for catching up with Vasana.' 04:43:21PM
15 You then, box 15, get a message from Vasana, 'Good evening, 04:43:28PM
16 Adem. Just a reminder for about Museum India issues.' 04:43:34PM
17 You write back, 'Please text me in the morning again. 04:43:39PM
18 We're in parliament so I can talk to him again.' Who are 04:43:42PM
19 you referring to talking to in - - - 04:43:46PM
20 MR SOMYUREK: I don't know. I don't know. 04:43:48PM
21 MR CARR: You say you will talk to whoever the person you're 04:43:54PM
22 referring to in parliament. A fair inference that the 04:43:59PM
23 person you're going to talk to when you're in parliament 04:44:03PM
24 is a parliamentarian? 04:44:05PM
25 MR SOMYUREK: Yep. 04:44:07PM
26 MR CARR: And possibly a minister who might have some 04:44:07PM
27 influence? 04:44:13PM
28 MR SOMYUREK: Yep. 04:44:13PM
29 MR CARR: Box 18, 'Had a good chat with Inthiaj'?' 04:44:15PM

1 MR SOMYUREK: Yep. 04:44:24PM

2 MR CARR: 'He's willing to change and work with you. He's 04:44:24PM

3 asking me to organise a time to catch up.' That's a 04:44:28PM

4 message to you. So somebody is willing to change and work 04:44:32PM

5 with you? 04:44:35PM

6 MR SOMYUREK: Yeah. Sorry, I know who that guy is. He's never 04:44:36PM

7 going to change. Anyway. Yes. 04:44:39PM

8 MR CARR: When you say he's never going to change? 04:44:43PM

9 MR SOMYUREK: Don't - it's just like - he's - - - 04:44:46PM

10 MR CARR: He's a factional player on the other side? 04:44:49PM

11 MR SOMYUREK: He's not. He's in the Liberal Party now, 04:44:51PM

12 actually. 04:44:53PM

13 MR CARR: But working - willing to change and work with you, 04:44:55PM

14 you might - - - 04:44:59PM

15 MR SOMYUREK: Oh, look, yes, but he had no votes. There's a 04:45:01PM

16 whole range of characters that just hang around. You 04:45:03PM

17 think they're factional. They actually don't do anything. 04:45:07PM

18 They just - they don't have numbers. They just like to 04:45:10PM

19 chat to politicians. They take your time. A couple of 04:45:15PM

20 these characters are those; right? 04:45:21PM

21 MR CARR: Then box 20, you send a message 'Vasan?' to Robin 04:45:24PM

22 Scott. So we can see that it would seem that you're 04:45:34PM

23 interceding with Robin Scott on behalf of Vasan in 04:45:43PM

24 some - - - 04:45:47PM

25 MR SOMYUREK: Yeah. It must be the former Liberal candidate 04:45:47PM

26 for Forest Hill. He hasn't joined the party, has he? 04:45:50PM

27 Anyway. 04:45:55PM

28 MR CARR: Box 21, 'Mo been away the last two days.' That's 04:45:56PM

29 from Mr Scott to you. What does 'Mo' stand for? 04:46:03PM

1 MR SOMYUREK: Probably Mo. 04:46:07PM
2 MR CARR: Sorry, Mo? 04:46:09PM
3 MR SOMYUREK: Probably Mohamed, probably that adviser you were 04:46:10PM
4 talking about. 04:46:13PM
5 MR CARR: Yeah. If we continue to 22, you get another reminder 04:46:14PM
6 from Vasan about Museum India issues? 04:46:21PM
7 MR SOMYUREK: Yeah. 04:46:26PM
8 MR CARR: And you write back, 'I can't understand why nothing 04:46:26PM
9 has happened yet.' 'Only God (DA) knows.' Now, when you 04:46:29PM
10 say, 'I can't understand why nothing has happened 04:46:40PM
11 yet' - - - 04:46:43PM
12 MR SOMYUREK: This is not a - I'm remembering now. This is not 04:46:44PM
13 a Cambodian or a Light Foundation type of scenario. There 04:46:48PM
14 is no members attached to this thing. It's just a 04:46:53PM
15 community Indian museum in Dandenong, whereas I recall 04:46:56PM
16 they've got a hall - it was all a part of a 04:47:00PM
17 greater - there was an Indian precinct that they were 04:47:05PM
18 vying for with Tarneit, I think. It was some community 04:47:08PM
19 project, but nothing to do with Labor Party and numbers. 04:47:15PM
20 It was more of a community thing. And I think it was 04:47:17PM
21 a - I think it was an important part of an Indian precinct 04:47:21PM
22 that they were building up. So this is not factional. 04:47:26PM
23 This is just a community-based project. Nothing to do 04:47:29PM
24 with factions. 04:47:33PM
25 MR CARR: But I thought you said in respect of the man in 04:47:35PM
26 box 18, Inthiaj, that - - - 04:47:39PM
27 MR SOMYUREK: Can you go back up to that? 04:47:45PM
28 MR CARR: Yes, of course. 04:47:47PM
29 MR SOMYUREK: Yeah. Okay. I think that's just another - he's 04:47:47PM

1 just gone off on a tangent and then trying to say 'I'm 04:47:54PM
2 going to introduce you to Inthiaj as well'. I don't think 04:47:57PM
3 it's connected to the Indian project. 04:48:00PM
4 MR CARR: All right. 04:48:01PM
5 MR SOMYUREK: Look, it might be. Let's just read, it might be, 04:48:02PM
6 but I don't think it is because I don't associate him with 04:48:06PM
7 anything like that. So let's just read it. And that guy 04:48:09PM
8 is from the west, this Inthiaj guy is from the west. 04:48:15PM
9 MR CARR: Yes. Then if we go down to box 25 we'll see the 04:48:20PM
10 outcome? 04:48:25PM
11 MR SOMYUREK: Who is that from? 04:48:29PM
12 MR CARR: That's from Vasan? 04:48:31PM
13 MR SOMYUREK: Right. Well, okay, did you go and have a look at 04:48:35PM
14 the meritocracy of that? 04:48:48PM
15 MR CARR: What I just want to understand is your perspective on 04:48:51PM
16 this because, if you look at 26, 'Vasan is very grateful 04:48:55PM
17 for your help' is what Anil Laz says to you, and we know 04:49:04PM
18 that you've contacted Robin Scott and he's indicated in 04:49:09PM
19 the message at least that the relevant adviser seems to 04:49:14PM
20 have been away for the last few days. Leave aside whether 04:49:19PM
21 it was factional, is this an instance of you involving 04:49:25PM
22 yourself in the process to try and assist someone to get 04:49:29PM
23 the outcome they desire? 04:49:34PM
24 MR SOMYUREK: Yep, no, this doesn't look good. No. But 04:49:36PM
25 I think it's something that was on the back - I mean, you 04:49:41PM
26 would have - would you have gone through all of this, 04:49:44PM
27 so - but it wasn't anything to do with factions. It was a 04:49:49PM
28 project on its merits about the museum. I can assure you 04:49:52PM
29 they wouldn't have just gone based on my SMS. It just 04:49:58PM

1 wouldn't have worked that way. 04:50:01PM

2 MR CARR: No, there would be communications outside of the 04:50:03PM

3 SMSs? 04:50:06PM

4 MR SOMYUREK: No. No, I wasn't that invested in him. Like, do 04:50:06PM

5 you know what I mean? I just - no. I did the minimal. 04:50:11PM

6 MR CARR: You said you weren't that invested in him. What 04:50:17PM

7 about someone you were invested - - - 04:50:20PM

8 MR SOMYUREK: You are invested in? No, I wouldn't have done 04:50:22PM

9 it. 04:50:25PM

10 MR CARR: What about Dr Haraco? 04:50:25PM

11 MR SOMYUREK: No. You've got my SMSs, so ... 04:50:27PM

12 MR CARR: I had tender that document, Commissioner. 04:50:32PM

13 COMMISSIONER: You've covered texts from September 16 to 04:50:37PM

14 22 November 18. 04:50:43PM

15 MR CARR: I have, Commissioner. 04:50:44PM

16 MR SOMYUREK: But can we just stress that it's got nothing to 04:50:45PM

17 do with factional politics? 04:50:48PM

18 COMMISSIONER: Yes, I've noted that. You're quite confident 04:50:50PM

19 about that, are you - - - 04:50:53PM

20 MR SOMYUREK: Yes, yes, I am. 04:50:54PM

21 COMMISSIONER: That's exhibit 137. 04:50:56PM

22 04:50:58PM

23 #EXHIBIT 137 - Texts from 09/16 to 22/11/18. 04:50:58PM

24 MR CARR: Thank you, Commissioner. 04:51:00PM

25 COMMISSIONER: Does that conclude the examination? 04:51:02PM

26 MR CARR: That does. 04:51:03PM

27 COMMISSIONER: Thank you, Mr Carr. 04:51:05PM

28 MR CARR: Unless Mr Gullaci has any questions arising out of 04:51:06PM

29 that? 04:51:09PM

1 COMMISSIONER: Yes. Mr Gullaci? 04:51:09PM
2 MR GULLACI: No questions, thank you, Commissioner. 04:51:10PM
3 COMMISSIONER: Very good. That concludes your examination, 04:51:13PM
4 Mr Somyurek. I'll release you from your summons. 04:51:15PM
5 MR SOMYUREK: Yay. 04:51:21PM
6 COMMISSIONER: You do have a confidentiality notice, and 04:51:26PM
7 because there are still some steps to be taken in the 04:51:28PM
8 investigation and a further examination to take 04:51:31PM
9 place - what date is that, Mr Carr? 04:51:36PM
10 MR CARR: I've got a note, but I've lost it. The 26th, 04:51:38PM
11 26 November, Commissioner. 04:51:43PM
12 COMMISSIONER: Yes. Mr Somyurek, in the event that you or your 04:51:45PM
13 legal advisers would like in the meantime to look at a 04:51:50PM
14 transcript of your evidence or a video of your evidence, 04:51:54PM
15 you or they may need only get in touch with someone from 04:52:00PM
16 the Commission and an opportunity will be made available 04:52:04PM
17 to you to get access to that material. Once the 04:52:08PM
18 investigation has concluded and you're released from the 04:52:13PM
19 confidentiality notice, a transcript will be available to 04:52:17PM
20 you. In the meantime, you remain, however, bound by the 04:52:23PM
21 confidentiality notice. 04:52:29PM
22 You understand there's a natural justice process 04:52:32PM
23 that will take place once there's a draft report prepared, 04:52:35PM
24 and you'll have an opportunity to respond to any matters 04:52:41PM
25 that concern you that are set out in the report? 04:52:44PM
26 MR SOMYUREK: Okay. 04:52:48PM
27 COMMISSIONER: Is there anything else, Mr Gullaci? 04:52:50PM
28 MR GULLACI: No, thank you, Commissioner. 04:52:54PM
29 COMMISSIONER: Very good. That concludes the examination. 04:52:56PM

1 Thank you.
2 MR SOMYUREK: Thank you.
3 <(THE WITNESS WITHDREW)
4 HEARING ADJOURNED

04:52:57PM

04:52:58PM

04:53:00PM

04:53:03PM

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